

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION

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**DAFINA ROTER VELYOV,**

**Plaintiff,**

**-vs-**

**Case No.: 2:14-cv-00071-RTR**

**FRONTIER AIRLINES, INC. and  
REPUBLIC AIRWAYS HOLDINGS INC.,**

**Defendants.**

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## **APPENDIX A:**

**DEFENDANTS' FIRST SET OF REQUESTS FOR ADMISSIONS, SECOND SET OF  
INTERROGATORIES AND SECOND REQUEST FOR PRODUCTION OF  
DOCUMENTS TO PLAINTIFF**

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Defendants, Frontier Airlines, Inc. ("Frontier"), and Republic Airways Holdings Inc. ("RAH") (collectively referred to herein as "Defendants"), by counsel, pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure and Civil L. R. 36, request that Plaintiff, Dafina Roter Velyov ("Plaintiff," "Roter" or "Velyov"), admit the truth of the following statements within thirty (30) days after service hereof. Each matter will be deemed admitted if no response is served upon the undersigned counsel of record within the prescribed time.

**DEFINITIONS**

Pursuant to Civil L. R. 26(d)(1), the full text of the definitions set forth in Civil L. R. 26(d)(2) are deemed incorporated by reference into this First Set of Requests for Admissions to Plaintiff.

## GENERAL INSTRUCTIONS

1. Fed. R. Civ. P. 36 provides that the answer to each request shall be either specifically admitted or denied with respect to the matters set forth therein, or set forth in detail why the matter cannot be truthfully admitted or denied.

2. *Lack of information or knowledge is not a legitimate reason for failure to admit or deny, unless Plaintiff states that a reasonable inquiry has been made and that the information known or available to Plaintiff is insufficient to admit or deny.*

3. If an objection is raised by Plaintiff concerning any of the requests set forth below, the grounds for objecting must be stated.

4. Plaintiff may not object to a request solely on the grounds that the request presents a genuine issue for trial or calls for a legal conclusion.

### I.

## FIRST REQUEST FOR ADMISSIONS

**REQUEST NO. 1:** Admit that on September 8, 2003, Plaintiff began her employment with Midwest Airlines as a Customer Service Agent ("CSA") at General Mitchell International Airport in Milwaukee, Wisconsin ("MKE").

### **RESPONSE:**

**REQUEST NO. 2:** Admit that Plaintiff became an employee of Republic Airlines Inc. ("Republic") (a subsidiary of RAH) when RAH acquired Midwest Airlines in June 2009.

### **RESPONSE:**

**REQUEST NO. 3:** Admit that Plaintiff became an employee of Frontier when RAH acquired Frontier in October 2009.

### **RESPONSE:**

**REQUEST NO. 4:** Admit that Plaintiff continued to be employed by Frontier from October 2009 through the termination of her employment on August 23, 2011.

**RESPONSE:**

**REQUEST NO. 5:** Admit that Plaintiff has never been employed by RAH.

**RESPONSE:**

**REQUEST NO. 6:** Admit that *had* Plaintiff remained employed by Frontier after August 23, 2011, then her employment with Frontier would have *ended on October 15, 2013*, regardless of her or the Defendants' conduct because on October 16, 2013, Frontier outsourced all operations at MKE.

**RESPONSE:**

**REQUEST NO. 7:** Admit that Frontier's former MKE employees (employed through October 15, 2013) were given the contact information for the vendor taking over the MKE operations to seek employment (if he or she so desired) post-October 15, 2013. It was ultimately up to the former Frontier MKE employee(s) to apply and the vendor to hire (or not hire) the employee(s). There were no guarantees that the vendor would hire the former Frontier MKE employees.

**RESPONSE:**

**REQUEST NO. 8:** Admit that at the time of the termination of her employment (August 23, 2011), Plaintiff's hourly rate of pay with Frontier was \$13.12 per hour.

**ANSWER:**

**REQUEST NO. 9:** Admit that Plaintiff had the following history of attendance issues during her employment with Midwest Airlines, Republic and Frontier (Defendants' incorporate herein by reference the exhibits listed below):

<u>DATE</u>	<u>EVENT</u>	<u>EXHIBIT # &amp; BATES STAMP #S</u>
04/17/2006	Documented Verbal Discussion – Attendance issued to Roter by Robin Kuehn	D 000396, <b>Ex. 1001</b> <sup>1</sup>
06/30/2006	Employment Classification Warning – issued by Robin Kuehn to Roter	D 000401, <b>Ex. 1002</b>
08/28/2006	Documented Verbal Discussion – Attendance issued to Roter by Amanda Hendlar	D 000395, <b>Ex. 1003</b>
10/28/2006	Written Warning – Attendance issued to Roter by Amanda Hendlar	D 000394, <b>Ex. 1004</b>
01/23/2007	Performance Review	D 000397 – 400, <b>Ex. 1005</b>
09/17/2007	Revised Verbal Warning Attendance issued to Roter by Lehrman	D 000393, <b>Ex. 1006</b>
11/26/2007	Second Warning Letter related to Attendance issues – issued by Lehrman to Roter	D 000392, <b>Ex. 1007</b>
12/30/2007	Letter from Lehrman to Roter re: PROVISIONAL STATUS – ATTENDANCE – 90-day provisional status  Notes:  9/17/2007 – Written Verbal Warning for Attendance 11/26/2007 – Written Warning for Attendance	D 000385, <b>Ex. 1008</b>
01/17/2008	2006 Performance Review	D 000387 – 391 (482-86), <b>Ex. 1009</b>
01/17/2008	Roter received Coach & Council record for attendance	D 000386, <b>Ex. 1010</b>
02/09/2008	Verbal Warning Attendance – issued by Lehrman to Roter	D 000375, <b>Ex. 1011</b>
04/07/2008	Activity Change Form – FT to PT	D 000414, <b>Ex. 1012</b>
07/11/2008	Verbal Warning Attendance – issued by Nacker to Roter	D 000382, <b>Ex. 1013</b>
12/11/2008	Verbal Warning Attendance – issued by Lehrman to Roter	D 000381, <b>Ex. 1014</b>
01/19/2009	2008 Performance Review	D 000376 – 380, <b>Ex. 1015</b>
04/06/2009	Second Warning Letter related to Attendance issues – issued by Lehrman to Roter	D 000374, <b>Ex. 1016</b>
05/31/2009	Second Warning Letter related to Attendance issues – issued by Lehrman to Roter	D 000373, <b>Ex. 1017</b>

<sup>1</sup> Defendants begin the numbering of its exhibits with "1001" pursuant to General L. R. 26.

07/09/2009	Last Chance Agreement related to Attendance Issues	D 000369 – 370, <b>Ex. 1018</b>
08/21/2009	E-mails between Roter and Nacker related to Roter's attendance issues	D 000371, <b>Ex. 1019</b>
07/30/2010	Frontier, Performance Counseling Record Written Warning for Attendance	D 000129, <b>Ex. 1020</b>
10/21/2010	2010 Performance Review	D 000364 – 368, <b>Ex. 1021</b>
04/02/2011	As of this date, Roter had a balance of 22 points pursuant to Frontier's Attendance Policy.	D 000130, <b>Ex. 1022</b>
05/20/2011	As of this date, Roter had a balance of 19 points pursuant to Frontier's Attendance Policy.	D 000130, <b>Ex. 1022</b>
06/02/2011	Roter received a verbal warning on this date pursuant to Frontier's Attendance Policy.	D 000130, <b>Ex. 1022</b>
07/21/2011	Roter received a Written Warning on this date pursuant to Frontier's Attendance Policy, which warning stated in part as follows:  "6/7/11 scheduled to work 5 am – 9 am – she failed to advise ER that she was sick prior to start of work. She said later that she called operations tower sick call line but no message."  "7/19/11 scheduled to work 5 am – 9 am - she failed to advise ER that she was sick prior to start of work. She again said later that she called operations tower sick call line but no message."  "Tower Line was tested on both occasions and found to be able to accept messages."  "Per the Customer Service Attendance policy noted in the Customer Service Department Handbook, section 8.02, an employee must notify his manager prior to the beginning of a scheduled shift if he will be absent as defined above. An employee should work with his manager to assure he fully understands how to report late arrival or illness locally. The call in policy will differ from station to station and it is the employee's responsibility to be aware of local procedures."	D 000352 – 353 <b>Ex. 1023</b>
08/05/2011	Roter received a Final Warning/Suspension notice on this date pursuant to Frontier's Attendance Policy, which notice stated in part as follows:  "8/2/11 scheduled to work 9 am – noon for training – she	D 000350 – 351 <b>Ex. 1024</b>

	<p>failed to advise ER that she would not be in. The trainer sent her a text message at 9:10 am, she responded at 9:25 that she just woke up and that she would not be going to work b/c her daughter was ill. Instead of calling the ops supervisor on duty, she sent her direct supervisor who was off that day a text message at 9:55 am that she would not be in. Noted the counseling and written warning on 7/21/11 that reminded her of the proper call in procedures."</p> <p>"Per the Customer Service Attendance policy noted in the Customer Service Department Handbook, section 8.02, an employee must notify his manager prior to the beginning of a scheduled shift if he will be absent as defined above. An employee should work with his manager to assure he fully understands how to report late arrival or illness locally. The call in policy will differ from station to station and it is the employee's responsibility to be aware of local procedures."</p>	
08/13/2011	Roter received -13 points pursuant to Frontier's Attendance Policy on this date for a no call no show, which action took her points total to -1	D 000130, <b>Ex. 1022</b>
8/16/2011 8/18-20/11	Roter received -7 points pursuant to Frontier's Attendance Policy on this date due to absences from work on four (4) consecutive days, which action took her point total to -8	D 000130, <b>Ex. 1022</b>
08/23/2011	Letter from Nacker to Roter terminating Roter's employment for attendance.	D 000360, <b>Ex. 1025</b>

**RESPONSE:**

**REQUEST NO. 10:** Admit that attached hereto and marked as **Exhibit 1026** (D 000078-79) is a true and accurate copy of Frontier's Attendance Policy in effect on August 23, 2011.

**RESPONSE:**

**REQUEST NO. 11:** Admit that on July 23, 2010, Plaintiff began the process of applying for FMLA and/or Wisconsin FMLA leave with Frontier. (See D 000272, attached hereto as **Exhibit 1027**).

**RESPONSE:**

**REQUEST NO. 12:** Admit that Plaintiff submitted her Certification from Health Care Provider for Employee's Serious Health Condition ("Certification") to Frontier and/or RAH on August 11, 2010. (See D 000553-56, attached hereto as **Exhibit 1028**).

**RESPONSE:**

**REQUEST NO. 13:** Admit that Plaintiff experienced some issues with getting confirmation from Frontier or RAH that they received her FMLA/Wisconsin FMLA leave paperwork. (See D 000558-59, attached hereto as **Exhibit 1029**).

**RESPONSE:**

**REQUEST NO. 14:** Admit that on August 19, 2010, Frontier/RAH initially denied Plaintiff's FMLA/Wisconsin FMLA leave request, stating:

I am sorry to inform you, but you have not worked enough hours within the last 12 months to qualify for [Wisconsin] FMLA. Our records indicate that for the period of 08/19/2009 – 08/19/2010 you have worked a total of 784 hours. In order to be eligible for [Wisconsin] FMLA, an employee must have worked a total of 1,000 hours within a rolling calendar year per Wisconsin Law. I am unable to recommend a Non-FMLA leave, because a Non-FMLA [leave] would be continuous in nature and not intermittently used. That leaves you with the option of a personal leave. A personal leave can only be approved by your supervisor. In order for me to request this from your supervisor, I need to know the dates in which you would like to be off.

Should you have any questions or concerns, do not hesitate to contact me.

(See D 000265-67, attached hereto as **Exhibit 1030**).

**RESPONSE:**

**REQUEST NO. 15:** Admit that on August 25, 2010, and September 4, 2010, after receiving **Exhibit 1030** referenced above, Plaintiff asked Frontier/RAH to recalculate her hours because she felt that Frontier/RAH's numbers were incorrect.

**RESPONSE:**

**REQUEST NO. 16:** Admit that, per Plaintiff's request, Frontier/RAH re-calculated Plaintiff's hours.

**RESPONSE:**

**REQUEST NO. 17:** Admit that on September 7, 2010, after initially denying Plaintiff's FMLA/Wisconsin FMLA leave request, Frontier/RAH notified Plaintiff of its approval of her leave request under the Wisconsin FMLA. (See D 000258-64, attached hereto as **Exhibit 1031**).

**RESPONSE:**

**REQUEST NO. 18:** Admit that as of September 7, 2010, Roter had worked 1119 hours for Frontier in the preceding twelve (12) month time period. (See D 000259, part of **Ex. 1031**).

**RESPONSE:**

**REQUEST NO. 19:** Admit that at no time after September 7, 2010, *i.e.*, after receipt of the September 7, 2010, e-mail (**Ex. 1031**), did Plaintiff request that Frontier and/or RAH recalculate her hours worked for FMLA and/or Wisconsin FMLA leave request purposes.

**RESPONSE:**

**REQUEST NO. 20:** Admit that on September 13, 2010, Plaintiff had the following e-mail exchange with Barbie Butler, former employee with RAH's Leave of Absence department:

9/13/2010 8:37 a.m. – email from Barbie Butler to Roter:

I wanted to follow up and clarify with you on your FLA. You are currently qualified under Wisconsin law in which you have worked over 1,000 hours. Wisconsin FMLA only qualifies you to use up to 2 weeks (80 hours) in a 12 month period and not 480 hours in stated on your original approval letter.

Please contact me if you have any other questions.

9/17/2010 3:15 p.m. – email from Plaintiff to LOA // cc: Jason J. Lehrman

Barbie,

Thank you for getting everything straightened out. I used 5hrs of FMLA today due to a blood pressure spike and vomiting. I also saw my DR today and have a written excuse also. My supervisor and scheduling have been notified. I also left you a voice mail today regarding my sickness today. Have a good weekend.

(See D 000258, part of **Ex. 1031**).

**RESPONSE:**

**REQUEST NO. 21:** Admit that attached here to as **Exhibit 1032** (Bates stamped D 000626 – 639) is a true and accurate summary of the hours worked by Plaintiff for Frontier during the time period of December 31, 2009, through August 9, 2011.

**REQUEST NO. 22:** Admit that the last day that Plaintiff performed any work for Frontier was August 9, 2011.

**RESPONSE:**

**REQUEST NO. 23:** Admit that at no time during the time period of June 1, 2011, through August 23, 2011, did Plaintiff's hours work reach (or rise above) 1250 hours in the preceding twelve (12) month time period. (See D 000625-638, attached hereto as **Exhibit 1032**).

**RESPONSE:**

**REQUEST NO. 24:** Admit that the document attached hereto as **Exhibit 1033** (Bates stamped D 000625) accurately summarizes Plaintiff's absences designated by Frontier as leave days used by her pursuant to the Wisconsin FMLA.

**RESPONSE:**

I CERTIFY UNDER OATH THAT THE ABOVE RESPONSES ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: \_\_\_\_\_

Signature: \_\_\_\_\_  
**DAFINA ROTER VELYOV**

II.

**SECOND SET OF INTERROGATORIES**

Defendants, Frontier Airlines, Inc. ("Frontier"), and Republic Airways Holdings Inc. ("RAH") (collectively referred to herein as "Defendants"), by counsel, pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, propound to Plaintiff the following written Second Set of Interrogatories to be answered in writing and under oath by said Plaintiff within thirty (30) days after service thereof. Where knowledge or information in possession of Plaintiff is requested, such request includes knowledge of her agents, representatives and, unless privileged, his attorneys. These Interrogatories shall be deemed continuing so as to require supplemental answers if Plaintiff, her agents, representatives or attorneys, obtain further or different information between the time these answers are served and the time of the trial to the end that any new information may be promptly available to Defendants.

**INTERROGATORIES**

**INTERROGATORY NO. 1:** If the Plaintiff fails to admit the truthfulness of any of the above Requests for Admissions, as to each such denial, objection or qualified admission, please state:

- a. All facts, circumstances or other evidence which you contend to support the denial, objection or qualified admission; and,
- b. The name, address, telephone number, title and employer of each witness or expert witness you intend to call to support the denial, objection or qualified admission.

**ANSWER:**

**INTERROGATORY NO. 2:** If the Plaintiff claims that she lacks sufficient information or knowledge to admit or deny any of the above Requests for Admissions, please state with specificity, all facts, circumstances, or other evidence which is required to enable the Plaintiff to either admit or deny said Requests for Admissions.

**ANSWER:**

I CERTIFY UNDER OATH THAT THE ABOVE ANSWERS ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: \_\_\_\_\_

Signature: \_\_\_\_\_  
**DAFINA ROTER VELYOV**

**II.**

**SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

Defendants, Frontier Airlines, Inc. ("Frontier"), and Republic Airways Holdings Inc. ("RAH") (collectively referred to herein as "Defendants"), by counsel, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, request that Plaintiff produce and permit counsel for the Defendants to inspect and copy at the offices of Ice Miller LLP, One American Square, Suite 2900, Indianapolis, Indiana 46282, within thirty (30) days of the date hereof, or such earlier date as the parties may agree upon, each of the following documents:

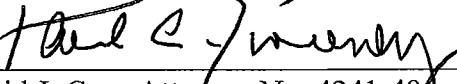
**REQUEST NO. 1:** If the Plaintiff fails to admit the truthfulness of any of the above Requests for Admissions, as to each such denial, objection or qualified admission, please produce any and all records that support the Plaintiff's denial, objection or qualified admission.

**RESPONSE:**

**REQUEST NO. 2:** If the Plaintiff claims that he lacks sufficient information or knowledge to admit or deny any of the above Requests for Admissions, please produce all documents which are required to enable the Plaintiff to either admit or deny said Request for Admission.

**RESPONSE:**

Respectfully submitted,



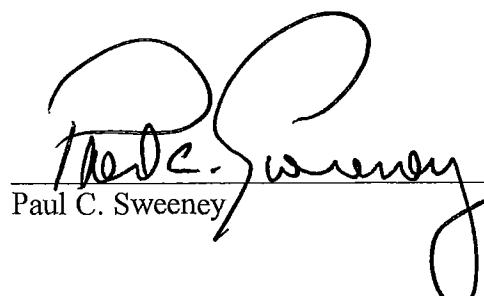
David J. Carr, Attorney No. 4241-49  
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*Attorneys for Defendants, Frontier Airlines, Inc.  
and Republic Airways Holdings Inc.*

#### CERTIFICATE OF SERVICE

I hereby certify that on the 22<sup>nd</sup> day of August, 2014, a copy of the foregoing was served by Overnight Mail (hard copy) and e-mail (Word format) on the following:

Dafina Roter Velyov  
Plaintiff Pro Se  
Dafina A. Roter  
26118 Barber Lane  
Windlake, WI 53185  
[roterdafina@yahoo.com](mailto:roterdafina@yahoo.com)



Paul C. Sweeney

ICE MILLER LLP  
One American Square, Suite 2900  
Indianapolis, IN 46282-0200  
Phone: (317) 236-2100  
Fax: (317) 236-2219  
[david.carr@icemiller.com](mailto:david.carr@icemiller.com)  
[paul.sweeney@icemiller.com](mailto:paul.sweeney@icemiller.com)



**To:** Dafina Roter  
**Date:** April 17, 2006  
**From:** Robin Kuehn  
**Subject:** Documented Verbal Discussion - Attendance

As we've discussed, in the past 12 months and you have had 4 attendance occurrences,

Your instances include the following dates:

January 13 & 14, 2006	Sick Leave
Saturday February 11, 2006	Unexcused Absence
March 25, 2006	Tardy 1 Minute
April 17, 2006	Sick Leave

I am concerned about your attendance and it is the policy of Midwest Airlines that prompt and regular attendance is required of all employees to maintain quality customer service and internal operations. Employees are expected to work their scheduled, assigned or approved hours.

It is imperative that you follow the Station guideline of 100% attendance. Any deviation will result in further disciplinary action.

If you are experiencing difficulties with the Occupational Health Center or family problems are affecting your attendance, please provide direction and a timeframe.

Though I will continue to monitor your attendance, I am also available to provide assistance.

I have read and fully understand the information contained in this communication.

You strive to meet the MKE standards of quality customer service and work scheduled or directed and to your best ability within your hours.

In addition, if personal problems are available to help you meet your attendance goals, please discuss your condition with your supervisor.

If you have any questions or concerns in your attendance, please contact me if I can be of assistance.

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Employee/Date

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Supervisor/Date

cc: Supervisor File  
Employee File

Revised 6/23/04

EXHIBIT

D 000396



TO: Dafina Roter  
FROM: Robin Kuehn  
DATE: June 30, 2006  
RE: Employment Classification Warning

You are receiving this written warning because you did not meet your minimum required hours for the 2<sup>nd</sup> quarter of 2006. Your average was 36.33 hours.

This will serve as your final written warning that you must average 40 hours per week going forward and if you fail to meet this requirement at the end of the 3<sup>rd</sup> quarter, which ends on September 24<sup>th</sup>, you will be down graded to part-time and removed from your Lead position. We understand that due to circumstances beyond one's control, there may be times that the exact requirement of 40 hours cannot be met. Therefore, a down-grade to part-time will only take place if you average less than 37 hours. Downgrading to Intermittent status may be an option if it's available and if you meet the requirements. Below is a recap of the Minimum Hours Policy from the CSR Scheduling Handbook.

As was previously communicated, a report has been developed that tracks employee's hours. We will be reporting to you every month what your average hours were in the month. Any hours that are coded to DSA, VAC, or sick leave ARE included in your average and are not deducted out. Note that DSA's of 30 minutes or less and Shift trades off (SHO) do NOT count toward your monthly hours. Attached to this memo is an outline of pay dates in 2006, along with what pay periods are in every monthly report. Please make note of this and ensure that you are maintaining your minimum required hours (20hrs PT and 40hrs FT) by the end of every quarter. Note that the 1<sup>st</sup> and 3<sup>rd</sup> quarters have an additional pay period.

If minimums are not met for a given quarter, full-time employee's status may be changed to part-time. Part-time employee's status may be changed to intermittent, however, there are not always openings for intermittent – additionally, specific performance expectations must be met to qualify. If intermittent is not an option, the employee risks termination.

In addition to maintaining hours for employee classification, all part time employees average hours are audited quarterly and their classification for benefit cost is changed accordingly. Part-time employees benefit costs are calculated by the amount of average hours they work. There are 2 categories: Over 30 hours and Under 30 hours.

Your signature below confirms that you understand the above information.

Dafina Roter  
Employee Signature

7/3/06  
Date

Robin Kuehn  
Supervisor Signature

7/3/06  
Date

EXHIBIT

D 000401



**To:** Dafina Roter  
**Date:** August 28, 2006  
**From:** Amanda Hendlar  
**Subject:** Documented Verbal Discussion - Attendance

As we've discussed, in the past 12 months and you have had (4) attendance occurrences.

Your instances include the following dates:

January 13-14, 2006 Sick  
February 11, 2006 UN  
April 17, 2006 Sick  
July 7-9, 2006 Sick

I am concerned about your attendance and it is the policy of Midwest Airlines that prompt and regular attendance is required of all employees to maintain high quality customer service and internal operations. Employees are expected to report to work as scheduled or directed and to work their scheduled, assigned or approved hours and any traded hours.

It is imperative that you improve your attendance at work, and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. Any additional occurrences will result in further disciplinary action, including a written warning or provisional status.

If you are experiencing chronic health problems, it is advisable that you discuss your condition with the Occupational Health and Safety nurse (phone # 414-570-9352). In addition, if personal or family problems are affecting your attendance/tardiness, EAP Counselors are available to help provide direction and a network of support (phone # 327-7017).

Though I will continue to monitor your progress and expect to see improvements in your attendance, I am also available to support you in your efforts. Please contact me if I can be of assistance.

I have read and fully understand the above documentation.

Dafina Roter 8/28/06 Amanda Hendlar  
Employee Date Supervisor Date

cc: Supervisor File  
Employee File

Revised 6/23/04

EXHIBIT

D 000395



**To:** Dafina Roter  
**Date:** October 28, 2006  
**From:** Amanda Hendlar  
**Subject:** Written Warning - Attendance

As we've discussed, in the past 12 months you have had 5 attendance occurrences. This will serve as your written warning regarding your attendance. Our operation depends on you being here to work your scheduled hours. Your absenteeism is negatively impacting our customer service level. In addition, as a lead agent you set the example. Your attendance record does not currently set an example for the CSR's to follow.

Your instances include the following dates in the past 12 months:

January 13-14, 2006	Sick
February 11, 2006	UN
April 17, 2006	Sick
July 7-9, 2006	Sick
September 18, 2006	UN

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in further disciplinary action to include provisional status. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

10/28/06  
Employee/Date

Dafina Roter  
Supervisor/Date

cc: Supervisor File  
Employee File

**EXHIBIT**

Revised 6/23/04

D 000394

## Customer Service Lead 2005 Performance Review – MKE Counter/Gate

Name: <b>Dafina Roter</b>	
Review Period	
From: September 2005	To: January 2007
Reviewed by <b>Amanda Hendler</b>	

### Performance Levels and Definitions

In assessing performance, select the level which best describes results achieved and approach taken by the employee in performing the duties and responsibilities of this position.

<b>Rating</b>	<b>Definition</b>
<b>5 Outstanding Performer</b>	Consistently and significantly exceeds most high expectations, which, in turn, surpasses objectives and standards and contributes significantly to ME's culture, progress and profitability. Regularly demonstrates a high level of competence leading to outstanding results. Possesses notable personal resilience and, utilizing this unique level of resilience, anticipates and takes on new/increased levels of responsibility and/or new assignments without direction or intervention from leadership and with minimal on-going supervision. Is viewed by staff/peers/senior leadership (or all of these) as working at a high level of effectiveness and efficiency with others and is regularly identified as a significantly talented contributor to our success. Achievements are the result of very high performance and are clearly recognized as outstanding.
<b>4 High Level Performer</b>	Consistently exceeds most of the high expectations, with achievement of results beyond those expected of the position. Demonstrates a high degree of functional knowledge and strengths in competencies of the position. Adjusts to change and readily accepts new responsibility with less than normal supervision and assistance. Actively enhances systems, processes and procedures in the organization and is recognized for valued contributions. Overall performance exceeds specific objectives and standards of performance.
<b>3 Achieves Required Expectations</b>	Performance consistently meets and may occasionally exceed requirements. Individual demonstrates effective and efficient utilization of functional knowledge and judgment and is recognized for valued contributions to the organization. Achieves performance results with normal supervision and assistance. Works well with others. Total results clearly meet the specific objectives and standards of performance.
<b>2 Below Required Expectations</b>	Performance has not consistently produced the expected results required for the position. Individual does not consistently demonstrate effective and efficient utilization of functional knowledge and judgment. Employee may require more than normal supervision and assistance to perform position. Performance needs to improve to achieve required expectations.
<b>1 Does Not Meet Required Expectations</b>	Performance does not meet expectations and results achieved are less than required of the position. Individual does not display a complete understanding of the breadth or depth or responsibility. The consequence of this rating is Provisional Status. Judgment, initiative, quality or quantity of work requires immediate improvement. Individual requires more supervision and assistance than is expected. In many cases, Provisional Status precedes termination. (Managers please note: If you are selecting this as your final overall rating for an employee, you must first contact your assigned HR staff member prior to the employee discussion.)

### Not Rated (NR)

In the case of new hires and experienced employees in new positions for less than one year, leaders may wish to discuss progress in performing the essential elements of the new position rather than assign a performance level.

Performance Summary – See page 5 for specific behaviors.

**Key Accountabilities / Expectations / Performance Objectives**

Item	Performance Rating
1. COMMAND SKILLS	Below
2. COMPOSURE	Below
3. CONFRONTING DIRECT REPORTS	High
4. INFORMING	Achieves
5. NEGOTIATION	Achieves
6. PRIORITY SETTING	Below
7. INTERPERSONAL SAVVY	Achieves
8. MOTIVATING OTHERS	Below

**Technical Competencies** - See page 6 for specific behaviors.  
 (Use Directory of Technical Competencies)

Item		Performance Rating
1. KNOWLEDGE OF COUNTER/GATE OPS	Dafina, you have functional knowledge in all aspects of the counter and gate operations. In the upcoming year, please try not to swap when you are at the counter. The more practice that you have at the counter will ensure success for the entire team. Look into the ticketing modules to ensure that you are comfortable with the counter operation. This will ensure success not only for you, but all of our agents.	Achieves
2. TECHNICAL LEARNING	Dafina, your success at the counter will enhance your ability to assist our agents. You are well versed in computer software applications. The ticketing modules will only enhance your abilities at the ticket counter.	Achieves
3. PRESENTATION SKILLS	Dafina, thank you for maintaining a professional appearance adhering to and enforcing the uniform guidelines. For the upcoming year, please take it upon yourself to do the briefings. This will ensure all agents are getting the information that is pertinent to our success.	Achieves
4. RELIABILITY	Dafina, you are currently on a written warning for your attendance. This affects the entire organization. It is imperative that you improve your attendance. You are a leader in this organization and please remember that the agents look you up to. Setting a good example to our employees is crucial to your role in this organization.	Below

## Performance Improvement

### Performance Improvement As Applicable

Dafina, you are a hard worker and thank you for your contributions to the organization. There are some things to work toward in the upcoming year. Ticketing modules and more work at the counter. Try not to swap the days when you are scheduled at the counter. The more knowledge you have the better we will be able to assist our agents.

Take charge of stressful situations. Know that you are the leader that the agents will be looking to when situations do arise.

Attendance is crucial. Please make sure that this is a focus for improvement for next year.

### Overall Performance Evaluation

5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input type="checkbox"/>	2X <input type="checkbox"/>	1 <input type="checkbox"/>	NR <input type="checkbox"/>
Outstanding Performer	High Level Performer	Achieves Required Expectations	Below Required Expectations	Does Not Meet Required Expectations	On Assignment Less Than One Year

Employee Signature.

Date

Dafina 1/23/07

Leader

Date

Alia Sadia, Domestic 1/23/07

cc: Employee  
Employee's Department File  
Compensation / Human Resources



**To:** Dafina Roter  
**Date:** Sep 17, 2007  
**From:** Jason Lehrman  
**Subject: Revised Verbal Warning Attendance**

As we've discussed, in the past 12 months you have had (5) multiple attendance occurrences plus will drop one on Sep 18th. As we've discussed, this is a revised written verbal warning regarding attendance. Your chronic attendance occurrences continue to be a problem. Our operation depends on you being here to work your scheduled hours. Also, your absenteeism is negatively impacting our customer service level.

Your instances include the following dates in the past 12 months:

- Verbal warning May 21, 2007

Sep 18, 2006	UN
Jan 26, 2007	Sick
May 21, 2007	Sick
July 12, 2007	UN
Sep 15, 2007	Tardy

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in a written second warning. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

Dafina Roter 9/17/07 Jason Lehrman 9-17-07  
Employee/Date Supervisor/Date

cc: Supervisor File  
Employee File

Revised 6/23/04

EXHIBIT

D 000393



To: Daffiana Roter  
Date: Nov 26, 2007  
From: Jason Lehrman  
Subject: Second warning letter

As we've discussed, in the past 12 months you have had multiple attendance occurrences. As we've discussed, this is your second warning regarding attendance. Your chronic attendance occurrences continue to be a problem. Our operation depends on you being here to work your scheduled hours. Also, your absenteeism is negatively impacting our customer service level.

Your instances include the following dates in the past 12 months:

- Verbal warning May 21, 2007

Jan 26, 2007	Sick
May 21, 2007	Sick
July 12, 2007	UN
Sep 15, 2007	Tardy
Nov 18, 2007	Tardy

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in further disciplinary action to include provisional status. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

11/26/07  
Employee/Date  
11/26/07

Daffiana Roter  
Supervisor/Date  
Jason Lehrman

cc: Supervisor File  
Employee File

Revised 6/23/04

EXHIBIT

D 000392



To: Dafina Roter

Date: Dec 30, 2007

From: Jason Lehrman

Subject: PROVISIONAL STATUS - ATTENDANCE

As you know, we have had numerous discussions regarding your work performance, which of course includes attendance. Unfortunately, you have not resolved these issues, and in fact, your recent behavior is further indication that my previous attempts to coach you towards improvement have failed. Effective immediately, you are being placed on a 90-day provisional status.

Also if the absences are covered under FMLA that has been sent in and if approved the provisional status would be removed off your record. The following provides you with a summary of events leading up to this decision.

Jan 26, 2007	sick
May 21, 2007	sick
Jul 12, 2007	Unexcused
Sep 15, 2007	tardy
• Written verbal warning for attendance Sept 17th	
Nov 18, 2007	tardy
• Second written warning for attendance Nov 26, 2007	
• Dec 21st and 22nd, 2007 sick doctor's note-Strep throat (contagious) applying for FMLA	

**Action Plan:** You are being placed on Provisional Status for 90 days. During this time, your work performance, which of course includes attendance, will be closely monitored.

Any further performance issues during this provisional period will result in further disciplinary action up to and including termination.

**Goals & Expectations:** It is my expectation that you will be at work and on time for all of your scheduled, assigned or approved hours and any traded hours. It is my expectation that you will show immediate and then sustained improvement going forward.

**Restrictions include:** During the provisional period there will be no pay increases, no opportunities to post for job openings, and, if we have income sharing, your ability to participate may be affected.

If at any time during this provisional period you fail to demonstrate adequate improvement or continue to exhibit unprofessional, inappropriate conduct, you may be terminated prior to the completion of this 90-day provisional period. Furthermore, if this provisional period is successfully completed, you must continue to maintain satisfactory performance in the future, or termination may occur without further notice.

I have read and fully understand the above documentation.

Dafina Roter 12/30/07  
Employee Name DATE

Jason Lehrman 12-30-07  
Supervisor Name DATE

cc: Supervisor File  
Employee File

Revised 6/23/04

EXHIBIT

D 000385

## Operations Agent – MKE 2006 Performance Review

Name: Dafina Roter	
Position: Operations agent	
Review Period From: Dec 2006	To: Dec 2007
Reviewed by Jason Lehrman, Operations Supervisor	

### Performance Levels and Definitions

In assessing performance, select the level which best describes results achieved and approach taken by the employee in performing the duties and responsibilities of this position.

Rating	Definition
5 Outstanding Performer	Consistently and significantly exceeds most high expectations, which, in turn, surpasses objectives and standards and contributes significantly to MKE's culture, progress and profitability. Regularly demonstrates a high level of competence leading to outstanding results. Possesses notable personal resilience and, utilizing this unique level of resilience, anticipates and takes on new/increased levels of responsibility and/or new assignments without direction or intervention from leadership and with minimal on-going supervision. Is viewed by staff/peers/senior leadership (or all of these) as working at a high level of effectiveness and efficiency with others and is regularly identified as a significantly talented contributor to our success. Achievements are the result of very high performance and are clearly recognized as outstanding.
4 Valued Performer	Consistently exceeds most of the high expectations, with achievement of results beyond those expected of the position. Demonstrates a high degree of functional knowledge and strengths in competencies of the position. Adjusts to change and readily accepts new responsibility with less than normal supervision and assistance. Actively enhances systems, processes and procedures in the organization and is recognized for valued contributions. Overall performance exceeds specific objectives and standards of performance.
3 Achieves Required Expectations	Performance consistently meets and may occasionally exceed requirements. Individual demonstrates effective and efficient utilization of functional knowledge and judgment and is recognized for valued contributions to the organization. Achieves performance results with normal supervision and assistance. Works well with others. Total results clearly meet the specific objectives and standards of performance.
2 Below Required Expectations	Performance has not consistently produced the expected results required for the position. Individual does not consistently demonstrate effective and efficient utilization of functional knowledge and judgment. Employee may require more than normal supervision and assistance to perform position. Performance needs to improve to achieve required expectations.
1 Does Not Meet Required Expectations	Performance does not meet expectations and results achieved are less than required of the position. Individual does not display a complete understanding of the breadth or depth of responsibility. The consequence of this rating is Provisional Status. Judgment, initiative, quality or quantity of work requires immediate improvement. Individual requires more supervision and assistance than is expected. In many cases, Provisional Status precedes termination. (Managers please note: If you are selecting this as your final overall rating for an employee, you must first contact your assigned HR staff member prior to the employee discussion.)
<u>Not Rated (NR)</u>	In the case of new hires and experienced employees in new positions for less than one year, leaders may wish to discuss progress in performing the essential elements of the new position rather than assign a performance level.

Performance Management Policy  
Operations Agent -- MKE Performance Review Form  
Revised 02/03

EXHIBIT

D 000387

Performance Summary – See page 4 for specific behaviors,  
**Key Accountabilities / Expectations / Performance Objectives**

Item	Performance Rating	
1. ORGANIZATION	You do a good job at multi-tasking and keeping everything straight; you take the initiative to pre-plan.	3
2. DEPENDABILITY	You see task and responsibilities through until the job is complete. As we have discussed make sure you keep an eye on your attendance.	3
3. ATTENDANCE	Your instances for 2007 are Jan 26, 2007 sick, May 21 sick, July 12th, 2007 unexcused, Sept 15 <sup>th</sup> , 2007 tardy, November 18 <sup>th</sup> 2007 tardy Dec 21 <sup>st</sup> and 22 <sup>nd</sup> , 2007. You were coached on attendance and are on a second warning. Please strive to meet the MKE standard of three or less instances in a rolling twelve-month period.	1
4. COMPOSURE	Don't become defensive or irritated when things are going wrong.	3
5. INDEPENDENT JUDGMENT	You are confident in working unassisted and know when to ask a question.	3
6. TEAMWORK	Your co-workers respect your judgment and can easily count on you to assist them when necessary. You are a team player and get along with everyone. Thanks for explaining procedures to the gate agents that are new when they call in delays. The experience you pass on to the gate helps them become stronger agents. Thanks for assisting with a GSC question at the gate when a gate supe was unavailable.	3
7. IRREGULAR OPS DEALING WITH AMBIGUITY	You are working with the unknowns of irregular operations and ask the appropriate questions to get the job done. You don't have to finish things up before moving on.	3
8. NEGOTIATION	Your approach in dealing with other departments (pilots, FA's, gate CSR's, Mtc, commissary, ASIQ, SOC, etc) is of understanding and you easily gain the trust with each party.	3
9. INFORMING	Your communication skills are very good as you relay information to all necessary parties in a timely and professional manner.	3
10. APPEARANCE	You meet the requirements of the non-uniform policy.	3

**Technical Competencies - See page 5 for specific behaviors**  
**(Use Directory of Technical Competencies)**

1.  
TECHNICAL LEARNING

You grasp changes easily.

3

## Performance Improvement

### Performance Improvement As Applicable

Continue to work on being totally competent in each position (gate planning). We are setting up a date for more training in this area. Make sure you try to rotate into each position weekly not just at the delay position. Ask questions of me and your other co-workers. If there is an area that you are weak in try and do that position as much as possible. Remember you may not of discussed every issue that comes up during training on a particular situation. If a co-worker passes on information that you were unaware of listen to what they have to say and implement the change. Work on improving attendance in the coming year and meeting the MKE station standard of three or less.

### Additional Feedback

Thank you for the ongoing initiative in learning every position. Thanks for picking all the open hours.

### Overall Performance Evaluation

5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>	NR <input type="checkbox"/>
Outstanding Performer	Valued Performer	Achieves Required Expectations	Below Required Expectations	Does Not Meet Required Expectations	On Assignment Less Than One Year

Employee Signature

Date

X Dafina Roter

1-17-08

Leader

Date

Jason Johnson

1-17-08

cc: Employee  
Employee's Department File  
Compensation / Human Resources

## **MKE OPERATIONS AGENT COMPETENCY DEFINITIONS - 2006**

### **Key Accountabilities / Expectations / Performance Objectives**

#### **Organization:**

- Utilizes resources to get things done
- Conducts multiple activities at once to accomplish a goal
- Uses resources effectively and efficiently
- Arranges computer information and files in a useful manner
- Efficiently uses downtime to support the company objectives

#### **Dependability:**

- Ready to start working at start of shift and is prepared
- Sees tasks and responsibilities through until the job is completed
- Peers and supervisor can rely on them to complete a thorough job
- Meets deadlines

#### **Attendance:**

- Does not miss any days away from work
- Reports to work on time

#### **Composure:**

- Is cool under pressure
- Does not become defensive or irritated when times are tough
- Is considered mature
- Can be counted on to hold things together during tough times
- Can handle stress
- Is not knocked off balance by the unexpected
- Doesn't show frustration when resisted or blocked
- Is a settling influence in a crisis

#### **Independent Judgment:**

- Confident in working unassisted
- Not fearful of acting with a minimum of planning
- Enjoys working hard
- Is action oriented and full of energy seeking new challenges
- Seizes more opportunities than others

#### **Teamwork:**

- Finds common ground and solves problems for the good of all
- Can represent their own interests and yet be fair to other groups
- Can solve problems with peers objectively and professionally
- Is seen as a team player and is cooperative
- Easily gains trust and support of peers
- Encourages collaboration
- Can be candid with peers
- Assists peers when help is needed

#### **Irregular Ops - Ambiguity:**

- Can effectively cope with change
- Can shift gears comfortably
- Can decide and act without having the total picture
- Isn't upset when things are up in the air
- Doesn't have to finish things before moving on
- Can comfortably handle risk and uncertainty

#### **Negotiation:**

- Can negotiate skillfully with internal and external customers in tough situations
- Can settle differences objectively and professionally
- Can win concessions without damaging relationships
- Can be both direct and forceful as well as diplomatic
- Gains trust quickly of other parties to the negotiations
- Has a good sense of timing

#### **Informing:**

- Provides the information people need to know to do their jobs and to feel good about being a member of the team, unit and/or organization
- Provides individuals information so that they can make accurate decisions
- Is timely with information

- Communicates respectfully and professionally via the radios, telephone, and written communication.

**Appearance:**

- Hair neat and trimmed
- Jewelry- approved pins, earrings etc.

- Uniform (if choose to wear) is worn properly, is neat, clean, and replaced as necessary
- Attire is professional – meets non-reg guidelines

---

## Technical Competencies

**Technical Learning:**

- Picks up on technical things quickly
- Can learn new skills and knowledge
- Is good at learning new industry, company, product or technical knowledge
- Well versed in computer software applications to include Sabre - RES and DECS, Flite Trac, Flight Explorer, FIDS system, Lotus Notes, Word, Excel

**Learning on the Fly:**

- Learns quickly when facing a new problem
- A persistent and versatile learner
- Open to change
- Analyzes both successes and failures for clues to improvement
- Experiments and will try anything to find solutions
- Enjoys the challenge of unfamiliar tasks
- Quickly grasps the essence and the underlying structure of anything

## *Coach & Council*

Date: 1/17/08 Time: \_\_\_\_\_

Agent: Dafina Roter

Time of occurrence: \_\_\_\_\_

Type (check one):  Coach & Council  Commendation

Details: Dafian and I discussed attendance goals for 2008. Dafina is at 6 instances and will be striving to meet the MKE standard of three or less in 2008.  
We discussed where she is at this time.

Issued By: Jason Lehrman

Agent's Supervisor: Jason Lehrman

*Completed meeting with Dafina  
on Jan 17th.*

Coach and Council - word doc

EXHIBIT

D 000386



To: Dafina Roter  
Date: Feb 09, 2008  
From: Jason Lehrman  
Subject: Verbal Warning Attendance

As we've discussed, in the past 12 months you have had (4) multiple attendance occurrences. As we've discussed, this is a written verbal warning regarding attendance. Your chronic attendance occurrences continue to be a problem. Our operation depends on you being here to work your scheduled hours. Also, your absenteeism is negatively impacting our customer service level.

Your instances include the following dates in the past 12 months:

June 10 <sup>th</sup> , 2008	Tardy
Nov 06th, 2008	Tardy
Dec 6 <sup>th</sup> and 7th 2008	Sick two days (1 instance)
Feb 06th, 2009	UNX - <del>daughter sick</del>

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in a written second warning. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

2/16/09  
Employee/Date

2/16/09

cc: Supervisor File  
Employee File

Dafina Roter  
Supervisor/Date

Jason Lehrman SL

Revised 6/23/04

EXHIBIT

D 000375



## ACTIVITY CHANGE FORM

COMPLETE ALL SECTIONS AND RETURN VIA E-MAIL TO DIANE SULLIVAN

### A. EMPLOYEE PERSONAL DATA

Employee ID: 46068

Employee Name: Dafina Roter

### B. IS THIS CHANGE THE RESULT OF FILLING A REQUISITION?

Yes  Requisition Number  
No

### C. EFFECTIVE DATE OF CHANGE 4/7/08

### D. EMPLOYEE'S CURRENT DATA

Dept ID: 627 Job Title OPs Agent

Supv ID 85859

Current Pay Rate \$13.02 per  hr  month

Status  Full time 40 hrs/wk  Part time 20 hrs/wk  Intermittent

### E. REASON FOR CHANGE

Change to Hours or Status  
 Full time 40 hrs/wk  Part time hrs/wk  Intermittent

Change to Job, Dept, and/or Supervisor  
Dept ID Account Code (G/L) Job Title Supv ID

Change to Pay Rate  
New pay rate \$ per  hour  month

Provisional Status  
 Add  Remove

Return From Non-Intermittent Leave of Absence

Retirement  
 Retiree for travel only  Retiree for medical (age 55 with 10 years of service)  
Last Day Worked

Termination  
 Voluntary Click Here to Select a VOL Reason  Involuntary Click Here to Select an INV Reason  
Last Day Worked  
Eligible for Rehire?

### F. COMMENTS

### G. APPROVAL(S)

Supervisor Jason Lehrman ID 85859 Date 4/9/08

Complete below only if this activity change is NOT from a requisition:

Manager Beth Nacker ID 86226 Date 4/9/08  
Manager's Manager Denise Dembosky ID 85745 Date 4/9/08

Updated 12/21/2007

EXHIBIT

D 000414



To: Dafina Roter  
Date: July 11, 2008  
From: Beth Nacker  
Subject: Verbal Warning Attendance

As we've discussed, in the past 12 months you have had (5) multiple attendance occurrences. As we've discussed, this is a written verbal warning regarding attendance. Your chronic attendance occurrences continue to be a problem. Our operation depends on you being here to work your scheduled hours. Also, your absenteeism is negatively impacting our customer service level.

Your instances include the following dates in the past 12 months:

July 12, 2007	UNX (FELLOFF)
Sep 15, 2007	Tardy
Nov 18, 2007	Tardy
May 12 and 13 <sup>th</sup> 2008	Sick applied for FMLA
June 10, 2008	Tardy

FMLA APPROVED 7-29  
TAKEOFF

Down to three

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in a written second warning. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

Dafina Roter 7/11/08  
Employee/Date

Beth Nacker 7/11/08  
Supervisor/Date

cc: Supervisor File  
Employee File

EXHIBIT

D 000382



To: **Dafina Roter**  
Date: **Dec 11, 2008**  
From: **Jason Lehrman**  
Subject: **Verbal Warning Attendance**

As we've discussed, in the past 12 months you have had (4) multiple attendance occurrences. As we've discussed, this is a written verbal warning regarding attendance. Your chronic attendance occurrences continue to be a problem. Our operation depends on you being here to work your scheduled hours. Also, your absenteeism is negatively impacting our customer service level.

Your instances include the following dates in the past 12 months:

Jun 10, 2008	Tardy
Oct 4, 2008	Tardy
Nov 6, 2008	Tardy
Dec 6 <sup>th</sup> and 7 <sup>th</sup> 2008	Sick

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in a written second warning. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

12/16/08 Dafina Roter  
Employee/Date

Dafina Roter  
Supervisor/Date

cc: Supervisor File  
Employee File

Revised 6/23/04

EXHIBIT

D 000381

## Operations Agent - MKE 2008 Performance Review

Name: Dafina Roter	
Position: Operations Agent	
Review Period From: Dec 2007	To: Dec 2008
Reviewed by Jason Lehman Customer Service-Operations Supervisor	

### Performance Levels and Definitions

In assessing performance, select the level which best describes results achieved and approach taken by the employee in performing the duties and responsibilities of this position.

Rating	Definition
5 Outstanding Performer	Consistently and significantly exceeds most high expectations, which, in turn, surpasses objectives and standards and contributes significantly to MKE's culture, progress and profitability. Regularly demonstrates a high level of competence leading to outstanding results. Possesses notable personal resilience and, utilizing this unique level of resilience, anticipates and takes on new/increased levels of responsibility and/or new assignments without direction or intervention from leadership and with minimal on-going supervision. Is viewed by staff/peers/senior leadership (or all of these) as working at a high level of effectiveness and efficiency with others and is regularly identified as a significantly talented contributor to our success. Achievements are the result of very high performance and are clearly recognized as outstanding.
4 Valued Performer	Consistently exceeds most of the high expectations, with achievement of results beyond those expected of the position. Demonstrates a high degree of functional knowledge and strengths in competencies of the position. Adjusts to change and readily accepts new responsibility with less than normal supervision and assistance. Actively enhances systems, processes and procedures in the organization and is recognized for valued contributions. Overall performance exceeds specific objectives and standards of performance.
3 Achieves Required Expectations	Performance consistently meets and may occasionally exceed requirements. Individual demonstrates effective and efficient utilization of functional knowledge and judgment and is recognized for valued contributions to the organization. Achieves performance results with normal supervision and assistance. Works well with others. Total results clearly meet the specific objectives and standards of performance.
2 Below Required Expectations	Performance has not consistently produced the expected results required for the position. Individual does not consistently demonstrate effective and efficient utilization of functional knowledge and judgment. Employee may require more than normal supervision and assistance to perform position. Performance needs to improve to achieve required expectations.
1 Does Not Meet Required Expectations	Performance does not meet expectations and results achieved are less than required of the position. Individual does not display a complete understanding of the breadth or depth of responsibility. The consequence of this rating is Provisional Status. Judgment, initiative, quality or quantity of work requires immediate improvement. Individual requires more supervision and assistance than is expected. In many cases, Provisional Status precedes termination. Managers please note: If you are selecting this as your final overall rating for an employee, you must first contact your assigned HR staff member prior to the employee discussion.)
<u>Not Rated (NR)</u>	In the case of new hires and experienced employees in new positions for less than one year, leaders may wish to discuss progress in performing the essential elements of the new position rather than assign a performance level.

Performance Management Policy  
Operations Agent MKE Performance Review Form  
Revised 02/03

EXHIBIT

D 000376

Performance Summary - See page 4 for specific behaviors.  
 Key Accountabilities / Expectations / Performance Objectives

Item	Performance Rating	
1. ORGANIZATION	You do a good job at multi-tasking and keeping everything straight; you take the initiative to pre-plan.	3
2. DEPENDABILITY	You see task and responsibilities through until the job is complete.	3
3. ATTENDANCE	Your instances for 2008 are Jun 10, 2008 tardy, Nov 6th 2008, tardy 2008, Dec 6 <sup>th</sup> and 7 <sup>th</sup> 2008 sick.	3
4. COMPOSURE	You become defensive or irritated at times when things are not going well. Work on handling stress when it comes your way. Sometimes you come off as being very directive instead of seeking information from a area.	3
5. INDEPENDENT JUDGMENT	You are confident in working unassisted and know when to ask a question.	3
6. TEAMWORK	Your co-workers respect your judgment and can easily count on you to assist them when necessary. Thanks for explaining procedures to the gate agents that are new when they call in delays. The experience you pass on to the gate helps them become stronger agents.	3
7. IRREGULAR OPS DEALING WITH AMBIGUITY	You are working with the unknowns of irregular operations and ask the appropriate questions to get the job done. You don't have to finish things up before moving on.	3
8. NEGOTIATION	Your approach in dealing with other departments (pilots, FAs, gate CSR's, Mic. commissary, ASIG, SOC, Republic and Skywest SOC etc) is of understanding and you easily gain the trust with each party.	3
9. INFORMING	Your communication skills are very good as you relay information to all necessary parties in a timely and professional manner. Thanks for sending e-mails when you see that information needs to get to the other ops agents. Thanks for putting together a form with the new Sabre entries.	3
10. APPEARANCE	You meet the requirements of the non-uniform policy.	3

Technical Competencies - See page 5 for specific behaviors

(Use Directory of  
Technical Competencies)

1.  
TECHNICAL LEARNING

Over the past year you have picked up the new programs and entries  
for ramp control Skywest and Republic.

3

**Performance Improvement**

**Performance Improvement As Applicable**

Ask questions of me and your other co-workers if needed.

**Additional Feedback**

Dafina, you are a great asset to the Operations tower. You take great pride in your work environment and Midwest airlines. Thanks for caring how things work and look and cleaning the tower when you can. Thanks for your dedication to Midwest and 5.5 years of service.

**Overall Performance Evaluation**

5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>	NR <input type="checkbox"/>
Outstanding Performer	Valued Performer	Achieves Required Expectations	Below Required Expectations	Does Not Meet Required Expectations	On Assignment Less Than One Year

Employee Signature

Date

Dafina Potre 1/19/09

Leader

Date

Jason Lehman 1/19/09

cc: Employee  
Employee's Department File  
Compensation / Human Resources

**MKE OPERATIONS AGENT COMPETENCY DEFINITIONS - 2008**  
**Key Accountabilities / Expectations / Performance Objectives**

**Organization:**

- Utilizes resources to get things done
- Conducts multiple activities at once to accomplish a goal
- Uses resources effectively and efficiently
- Arranges computer information and files in a useful manner
- Efficiently uses downtime to support the company objectives

**Dependability:**

- Ready to start working at start of shift and is prepared
- Sees tasks and responsibilities through until the job is completed
- Peers and supervisor can rely on them to complete a thorough job
- Meets deadlines

**Attendance:**

- Does not miss any days away from work
- Reports to work on time

**Composure:**

- Is cool under pressure
- Does not become defensive or irritated when times are tough
- Is considered mature
- Can be counted on to hold things together during tough times
- Can handle stress
- Is not knocked off balance by the unexpected
- Doesn't show frustration when resisted or blocked
- Is a settling influence in a crisis

**Independent Judgment:**

- Confident in working unassisted
- Not fearful of acting with a minimum of planning
- Enjoys working hard
- Is action oriented and full of energy seeking new challenges
- Seizes more opportunities than others

**Teamwork:**

- Finds common ground and solves problems for the good of all
- Can represent their own interests and yet be fair to other groups
- Can solve problems with peers objectively and professionally
- Is seen as a team player and is cooperative
- Easily gains trust and support of peers
- Encourages collaboration
- Can be candid with peers
- Assists peers when help is needed

**Irregular Ops - Ambiguity:**

- Can effectively cope with change
- Can shift gears comfortably
- Can decide and act without having the total picture
- Isn't upset when things are up in the air
- Doesn't have to finish things before moving on
- Can comfortably handle risk and uncertainty

**Negotiation:**

- Can negotiate skillfully with internal and external customers in tough situations
- Can settle differences objectively and professionally
- Can win concessions without damaging relationships
- Can be both direct and forceful as well as diplomatic
- Gains trust quickly of other parties to the negotiations
- Has a good sense of timing

**Informing:**

- Provides the information people need to know to do their jobs and to feel good about being a member of the team, unit and/or organization

- Provides individuals information so that they can make accurate decisions
- Is timely with information
- Communicates respectfully and professionally via the radios, telephone, and written communication

Appearance:

- Hair neat and trimmed

- Jewelry- approved pins, earrings etc.
- Uniform (if choose to wear) is worn properly, is neat, clean, and replaced as necessary
- Attire is professional – meets non-reg guidelines

---

## Technical Competencies

Technical Learning:

- Picks up on technical things quickly
- Can learn new skills and knowledge
- Is good at learning new industry, company, product or technical knowledge
- Well versed in computer software applications to include Sabre - RES and DECS, Flite Trac, Flight Explorer, FIDS system, Lotus Notes, Word, Excel

Learning on the Fly:

- Learns quickly when facing a new problem
- A persistent and versatile learner
- Open to change
- Analyzes both successes and failures for clues to improvement
- Experiments and will try anything to find solutions
- Enjoys the challenge of unfamiliar tasks
- Quickly grasps the essence and the underlying structure of anything



To: Dafina Roter  
Date: April 06, 2009  
From: Jason Lehrman  
Subject: Second warning letter

As we've discussed, in the past 12 months you have had ( 5 ) attendance occurrences. As we've discussed, this is your second warning regarding attendance. Your chronic attendance occurrences continue to be a problem. Our operation depends on you being here to work your scheduled hours. Also, your absenteeism is negatively impacting our customer service level.

Your instances include the following dates in the past 12 months:

- Verbal warning 07/11/08
- Verbal warning 12/16/09
- Verbal warning 02/16/09

Jun 10, 2008	Tardy
Nov 6, 2008	Tardy
Dec 6 <sup>th</sup> and 7 <sup>th</sup> 2008	Sick 2 days (counts as one instance)
Feb 06 <sup>th</sup> , 2009	UNX (daughter sick)
April 04 <sup>th</sup> , 2009	UNX (stuck in LAS)

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in further disciplinary action to include provisional status. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

4/9/09  
Employee/Date

4/9/09  
Supervisor/Date

Revised 6/23/04

EXHIBIT

D 000374



**To:** Dafina Roter  
**Date:** May 31, 2009  
**From:** Jason Lehrman  
**Subject:** Second warning letter

As we've discussed, in the past 12 months you have had (5) attendance occurrences. As we've discussed, this is your second warning regarding attendance. Your chronic attendance occurrences continue to be a problem. Our operation depends on you being here to work your scheduled hours. Also, your absenteeism is negatively impacting our customer service level.

Your instances include the following dates in the past 12 months:

- Verbal warning 07/11/08
- Verbal warning 12/16/09
- Verbal warning 02/16/09
- Second warning 04/06/09

Nov 6, 2008	Tardy
Dec 6 <sup>th</sup> and 7 <sup>th</sup> 2008	Sick 2 days (counts as one instance)
Feb 06 <sup>th</sup> , 2009	UNX (daughter sick)
April 04 <sup>th</sup> , 2009	UNX (stuck in LAS)
May 29 <sup>th</sup> , 2009	Tardy (Overslept)

It is imperative that you improve your attendance and that you strive to meet the MKE Station guideline of 3 or less instances per 12-month rolling period. The next attendance occurrence will result in further disciplinary action to include provisional status. I will be continuing to closely monitor your attendance.

Midwest Airlines functions in an environment where providing on-time service is crucial to the continued success of its operation. Such success relies on a full complement of employees regularly and reliably reporting to work. We understand legitimate medical problems or unanticipated emergencies may result in absence from work. However, every employee has a responsibility to take all reasonable steps to minimize such "unscheduled" absences, including maintaining sufficient health to permit regular attendance at work.

I have read and fully understand the above documentation.

Dafina Roter 6/10/09  
Employee/Date

Jason Lehrman  
Supervisor/Date

Revised 6/23/04

EXHIBIT

D 000373



**To: Dafina Roter**

**Date: July 9, 2009**

**From: Beth Nacker**

**Subject: Last Chance agreement**

As you are aware, you have had 7 attendance occurrences in the past 12 months. Since your last written warning dated 5/31/09, you've incurred 2 additional occurrences. Your attendance history includes numerous warnings to include previously being placed on provisional employment status.

7/4/09 – Unexcused (car would not start)  
7/3/09 – Tardy (car troubles)  
5/29/09 – Tardy (overslept)  
4/4/09 – Unexcused (in LAS stuck non-rev'ing)  
2/6/09 – Unexcused (daughter ill)  
12/6/08, 12/7/08 – Sick  
11/6/08 – Tardy

Within the past 2 years, your previous attendance warnings are dated:

5/31/09  
4/6/09  
12/11/08  
7/11/08  
2/9/08  
12/30/07 – Provisional Employment Status

Dafina, it has been discussed with you that it's the policy of Midwest Airlines that prompt and regular attendance is required. Employees are expected to report to work as scheduled.

In lieu of terminating your employment for poor attendance, Dafina Roter and Midwest Airlines agree to the following.

Per this agreement, it is a requirement that you will not incur any further attendance occurrences until you are under the Midwest standard of three or less during a 12 month period. Furthermore, if this requirement is successfully completed, you must continue to maintain satisfactory performance in the future, or termination may occur without further notice.

**EXHIBIT**

D 000369

Also it is an expectation that your work performance does not decline in any way, and will be closely monitored for 30 days.

**It must be understood this is your last chance and the only further discipline is termination.**

I, Dafina Roter, understand that this is my last chance to remain employed at Midwest Airlines. Failure to make immediate and sustained improvement will result in my immediate termination.

I further understand that Midwest Airlines is an employment-at-will employer. I agree to comply with all company policies, practices and procedures and understand that this agreement in no way prevents Midwest Airlines from taking disciplinary action, including termination for such violations.

My signature below indicates I understand the terms of my employment.

**I HAVE CAREFULLY READ AND UNDERSTAND AND ALL OF THE ABOVE.**

Dafina Roter 7/11/09  
Employee Signature/Date

Beth Nacker 7/11/09  
Supervisor Signature/Date

cc:      Supervisor File  
            Employee File

**Employee Comments:**

D 000370

Beth Nacker  
08/21/2009 11:25 AM

To: Dafina.A.Roter/MEP/MEH@MEH  
cc: Jason J Lehrman/MEP/MEH@MEH  
Subject: Re: Please Accept this...

Dafina -

Thank you for spending the time to respond to your attendance final warning and for the detail you've provided below. We will add this to your warning in your personnel file. Thanks again.

Beth Nacker  
Manager, Customer Service MKE Station  
Midwest Airlines  
414-294-6212 office  
414-467-1505 cell  
Dafina A Roter

Dafina A Roter  
08/21/2009 11:06 AM

To: Beth Nacker/MEP/MEH@MEH  
cc: Jason J Lehrman/MEP/MEH@MEH  
Subject: Please Accept this...

Good Morning!!

I am hoping you will still accept this to put in my file. I apologize for the delay, I was upset about being put on the warning, needed sometime to calm down and then was on vacation, for some reason time seems to fly by in summer.

First of all, I'd like to say that I am one of the best employees that Midwest Airlines has, and I do LOVE my job. Anyone who knows me, or has worked with me can, and will tell you this ten times over. Employees seem to be pulled into the offices of their bosses for negative reasons, never the positives. If you look in my file from when I started, I have a lot of Way To Go's and a lot of positive in my file. I understand that my attendance has not been the greatest in the last two years, But did anyone consider the first 3 years I worked here, I had PERFECT attendance. I am not making excuses, but unfortunately life has not been good to me in the last 2 1/2 years. In Oct 2006, my grandmother who was more like a mother to me, passed away from cancer, 8mo to follow my uncle, who was my big brother/father figure ( since I didn't have a dad ) committed suicide on my daughter's bday, 52 days after that, his fiance drank herself to death. I went into a severe depression, losing 3 family members in 10 months was a lot to handle. Then in March of 2008, I was in the hospital with kidney failure, almost had a stroke because my blood pressure was 230/200, I had to go through blood transfusions and a series of other things, when released from the hospital I was put on FMLA. I missed work and had begged my DR to release me back, which he did on 4/7/08, earlier than he wanted too. From the time I got out of the hospital until March of 2009, I was on a series of meds for my blood pressure every 2mo ( diffrent meds ) because nothing was working for me, which caused me to be extremely tired and have migraine headaches, which caused me to over sleep or call in sick. I have never been on FMLA before, and honestly was too sick to read up on the details of coverage which hurt me in the end. I called in days late for coverage, and didn't call in days that should of been covered due to the fact that it was all from the side effects from the meds I was on. I don't think you understand the state of mind I was in due to the meds and what the wrong ones can do to you and your body. I am requesting documentation from my Nephrologist including all the different meds I was on and their side effects to attach to this. I also had strep throat from Dec 2008 until Apr 2009. I have NO immune system left from being on antibiotics since I was 15yrs old due to multiple kidney infections all my life. I am immune to 90% antibiotics and couldn't get rid of strep throat. I went from 13% kidney function to 30% now and have come a long way from where I was at. I am sharing these personal issues for a reason, I want you to know that I am a dedicated employee and I understand that reliability is huge. I am reliable, I always pick up open hours when I can, when I was a lead, I filled in as supervisor 90% of the time because we were short staffed, I've had board members request me as their escort, I was a GSC for

EXHIBIT

D 000371



## PERFORMANCE COUNSELING RECORD

Item Number 38618  
Effective Date 3/13/10EMPLOYEE NAME DAFINA ROTERDATE 7/30/2010DEPARTMENT/LOCATION MKT/CSPOSITION OPS

## TYPE OF PERFORMANCE COUNSELING:

Record of Discussion	Documented Verbal Warning
<input checked="" type="checkbox"/> Written Warning	Final Termination Warning
<input type="checkbox"/> Pass Suspension	Suspension Pending Investigation

(Refer to Frontier Airlines Employee Handbook or Department-specific guidelines for information regarding performance and conduct)

Was EAP offered?  YES  NODL Emp InitWas FMLA discussed?  YES  NODR Emp Init

If you or a qualifying family member has a serious health condition, you may qualify for FMLA and should request information from your supervisor

## REASON(S) FOR PERFORMANCE COUNSELING (Be specific, refer to previous performance counseling as appropriate)

Dafina clocked in at 5:02 for her shift starting at 4:30 on 7/30/10. 3 points are being deducted. Total balance 8 points.

## EXPECTATION(S) FOR SUSTAINED CHANGE IN BEHAVIOR AND/OR PERFORMANCE

Unless otherwise indicated, all warnings / corrective actions remain in employee personnel files for one (1) year.

You are expected to immediately take whatever action is necessary to meet the expectations for sustained change in your behavior and/or performance as outlined in this document. If, at any time during the warning period or thereafter, you fail to meet expectations or fail to make sufficient and sustained progress toward meeting stated expectations, additional action may be taken, up to and including termination of your employment.

Issued By

SUPERVISOR SIGNATURE John LehmanDate 8/3/2010

Approved By

NEXT LEVEL OF MANAGEMENT SIGNATURE / TITLE Date 

Reviewed By:

HUMAN RESOURCES SIGNATURE / TITLE Date 

I acknowledge and understand the following.

- The information in this document was discussed with me and my signature indicates that I have received a copy of the Performance Counseling Record, but does not necessarily mean that I agree with this action or the reasons given for it
- Failure to improve my performance and/or behavior as described may result in further action, including termination
- I have the right to appeal this action in accordance with Frontier's Internal Appeal Procedures (including any applicable Department-specific procedures). If I choose to exercise that right, I must indicate that intention in writing to my supervisor and Human Resources within 7 days for the appeal process to be used. (Does not apply to Documented Verbal Warnings and Suspensions Pending Investigation)
- I am not eligible to apply for another position within the Company for 90 days from the date of this action. (Does not apply to Documented Verbal Warnings)

Employee Signature DAFINA ROTERDate 8/5/10Employee Refused to sign Date 

Document Distribution: A signed copy of this Human Resources copies is sent to the named employee and to the supervisor conducting the Performance Counseling. A copy is also sent to the Human Resources Department.

EXHIBIT

D 000129

1020

## Operations Agent – MKE 2010 Performance Review

Name: <b>Dawn Roter</b>	
Position: <b>Operations Agent</b>	
Review Period	
From: Jan 2009	To: Sep 2010
Reviewed by <b>Jason Lehman Operations Supervisor</b>	

### Performance Levels and Definitions

In assessing performance, select the level which best describes results achieved and approach taken by the employee in performing the duties and responsibilities of this position.

Rating	Definition
<b>5 Outstanding Performer</b>	Consistently and significantly exceeds most high expectations, which, in turn, surpasses objectives and standards and contributes significantly to ME's culture, progress and profitability. Regularly demonstrates a high level of competence leading to outstanding results. Possesses notable personal resilience and, utilizing this unique level of resilience, anticipates and takes on new/increased levels of responsibility and/or new assignments without direction or intervention from leadership and with minimal on-going supervision. Is viewed by staff/peers/senior leadership (or all of these) as working at a high level of effectiveness and efficiency with others and is regularly identified as a significantly talented contributor to our success. Achievements are the result of very high performance and are clearly recognized as outstanding.
<b>4 Valued Performer</b>	Consistently exceeds most of the high expectations, with achievement of results beyond those expected of the position. Demonstrates a high degree of functional knowledge and strengths in competencies of the position. Adjusts to change and readily accepts new responsibility with less than normal supervision and assistance. Actively enhances systems, processes and procedures in the organization and is recognized for valued contributions. Overall performance exceeds specific objectives and standards of performance.
<b>3 Achieves Required Expectations</b>	Performance consistently meets and may occasionally exceed requirements. Individual demonstrates effective and efficient utilization of functional knowledge and judgment and is recognized for valued contributions to the organization. Achieves performance results with normal supervision and assistance. Works well with others. Total results clearly meet the specific objectives and standards of performance.
<b>2 Below Required Expectations</b>	Performance has not consistently produced the expected results required for the position. Individual does not consistently demonstrate effective and efficient utilization of functional knowledge and judgment. Employee may require more than normal supervision and assistance to perform position. Performance needs to improve to achieve required expectations.
<b>1 Does Not Meet Required Expectations</b>	Performance does not meet expectations and results achieved are less than required of the position. Individual does not display a complete understanding of the breadth or depth of responsibility. The consequence of this rating is Provisional Status. Judgment, initiative, quality or quantity of work requires immediate improvement. Individual requires more supervision and assistance than is expected. In many cases, Provisional Status precedes termination. (Managers please note: If you are selecting this as your final overall rating for an employee, you must first contact your assigned HR staff member prior to the employee discussion.)
<b>Not Rated (NR)</b>	In the case of new hires and experienced employees in new positions for less than one year, leaders may wish to discuss progress in performing the essential elements of the new position rather than assign a performance level.

Performance Management Policy  
Operations Agent – MKE Performance Review Form  
Revised 02/03

EXHIBIT

D 000364

Performance Summary – See page 4 for specific behaviors.  
 Key Accountabilities / Expectations / Performance Objectives

Item	Performance Rating
1. ORGANIZATION	3
2. DEPENDABILITY	2
3. ATTENDANCE	2
4. COMPOSURE	2
5. INDEPENDENT JUDGMENT	3
6. TEAMWORK	3
7. IRREGULAR OPS DEALING WITH AMBIGUITY	3
8. NEGOTIATION	3
9. INFORMING	2
10. APPEARANCE	3

**Technical Competencies - See page 5 for specific behaviors**  
(Use Directory of  
Technical Competencies)

1. <b>TECHNICAL LEARNING</b>	You grasped the new Gate Manager program, the load planning system, and the new zone duties easily.	3
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## Performance Improvement

### Performance Improvement As Applicable

We know it can be difficult to keep up to date on everything when you are part-time. That said, it is that much more important to stay focused, and ask questions of me or the supervisor on duty. Work on improving your reliability/attendance and staying focused on the operation. Ensure you are using downtime effectively by reviewing previous emails and procedure changes sent by your leadership team.

### Additional Feedback

Thank you for your years of service. Challenge yourself in the upcoming year to make some necessary improvements.

### Overall Performance Evaluation

5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>	NR <input type="checkbox"/>
Outstanding Performer	Valued Performer	Achieves Required Expectations	Below Required Expectations	Does Not Meet Required Expectations	On Assignment Less Than One Year

Employee Signature

Date

X Dakina Roter - 10/21/10 -

Leader

Date

Jason Damer - 10/21/10 -

cc: Employee  
Employee's Department File  
Compensation / Human Resources

## **MKE OPERATIONS AGENT COMPETENCY DEFINITIONS - 2010**

### **Key Accountabilities / Expectations / Performance Objectives**

#### **Organization:**

- Utilizes resources to get things done
- Conducts multiple activities at once to accomplish a goal
- Uses resources effectively and efficiently
- Arranges computer information and files in a useful manner
- Efficiently uses downtime to support the company objectives

#### **Dependability:**

- Ready to start working at start of shift and is prepared
- Sees tasks and responsibilities through until the job is completed
- Peers and supervisor can rely on them to complete a thorough job
- Meets deadlines

#### **Attendance:**

- Does not miss any days away from work
- Reports to work on time

#### **Composure:**

- Is cool under pressure
- Does not become defensive or irritated when times are tough
- Is considered mature
- Can be counted on to hold things together during tough times
- Can handle stress
- Is not knocked off balance by the unexpected
- Doesn't show frustration when resisted or blocked
- Is a settling influence in a crisis

#### **Independent Judgment:**

- Confident in working unassisted
- Not fearful of acting with a minimum of planning
- Enjoys working hard
- Is action oriented and full of energy seeking new challenges
- Seizes more opportunities than others

#### **Teamwork:**

- Finds common ground and solves problems for the good of all
- Can represent their own interests and yet be fair to other groups
- Can solve problems with peers objectively and professionally
- Is seen as a team player and is cooperative
- Easily gains trust and support of peers
- Encourages collaboration
- Can be candid with peers
- Assists peers when help is needed

#### **Irregular Ops - Ambiguity:**

- Can effectively cope with change
- Can shift gears comfortably
- Can decide and act without having the total picture
- Isn't upset when things are up in the air
- Doesn't have to finish things before moving on
- Can comfortably handle risk and uncertainty

#### **Negotiation:**

- Can negotiate skillfully with internal and external customers in tough situations
- Can settle differences objectively and professionally
- Can win concessions without damaging relationships
- Can be both direct and forceful as well as diplomatic
- Gains trust quickly of other parties to the negotiations
- Has a good sense of timing

#### **Informing:**

- Provides the information people need to know to do their jobs and to feel good about being a member of the team, unit and/or organization
- Provides individuals information so that they can make accurate decisions
- Is timely with information
- Communicates respectfully and professionally via the radios, telephone, and written communication

#### **Appearance:**

- Hair neat and trimmed
- Jewelry- approved pins, earrings etc.
- Uniform (if choose to wear) is worn Properly, is neat, clean, and replaced as necessary
- Attire is professional – meets non-reg guidelines

## Technical Competencies

### Technical Learning:

- Picks up on technical things quickly
- Can learn new skills and knowledge
- Is good at learning new industry, company, product or technical knowledge
- Well versed in computer software applications to include Sabre - RES, Flite Trac, Flight Explorer, FIDS system, Outlook, Word, Excel, Aerodata, and Gate Manager

### Learning on the Fly:

- Learns quickly when facing a new problem
- A persistent and versatile learner
- Open to change
- Analyzes both successes and failures for clues to improvement
- Experiments and will try anything to find solutions
- Enjoys the challenge of unfamiliar tasks
- Quickly grasps the essence and the underlying structure of anything

Attendance Review for Employee # 17671 DAFINA ROTER

*Beginning Balance:*

24

DATE	TYPE	POINT DED	BALANCE
	BEGINNING BALANCE	0.0	24
09/17/10	LOA/PLOA/COLA	0.0	24
11/05/10	FMLA	0.0	24
02/04/11	ADD BONUS POINT	1.0	25
02/11/11	FMLA	0.0	25
02/25/11	FMLA	0.0	25
04/02/11 <i>(cumulat. 4/4/11)</i>	TARDY	-3.0	22
04/12/11	FMLA	0.0	22
05/20/11 <i>(cumulat. 5/3/11)</i>	TARDY	-3.0	19
06/02/11	WW PERFORMANCE WARNING	0.0	19
07/19/11	FMLA	0.0	19
07/21/11	WW PERFORMANCE WARNING	0.0	19
08/02/11 <i>(cumulat. 8/4/11)</i>	CALL IN AFTER START	-7.0	12
08/05/11	PTW PERFORMANCE WARNING	0.0	12
08/10/11 <i>(cumulat. 8/15/11)</i>	NCNS	-13.0	-1
08/16/11	ABSENCE	-4.0	-5
08/18/11	ABSENCE CONT.	-1.0	-6
08/19/11	ABSENCE CONT.	-1.0	-7
08/20/11	ABSENCE CONT.	-1.0	-8

EXHIBIT

D 000130

1026

REPUBLIC AIRWAYS

## PERFORMANCE COUNSELING RECORD

EMPLOYEE NAME	Dalina Roter	DATE	07-21-11
DEPARTMENT / LOCATION	MKE Ops Tower	POSITION	Ops Agent
			EE# 417671

### TYPE OF PERFORMANCE COUNSELING:

Verbal Warning

Written Warning

Final Warning / Suspension

(Refer to Employee Handbook & Dept. specific guidelines for information regarding performance and conduct.)

Was EAP offered?

YES

NO

Was FMLA discussed?

YES

NO

If you or a qualifying family member has a serious health condition, you may qualify for FMLA and should request information from your supervisor.

REASON(S) FOR PERFORMANCE COUNSELING (Be specific, refer to previous performance counseling as appropriate.)

On 06/07/11, you were scheduled 0500-0900 and did not advise us prior to the start of your shift that you were ill. You communicated later in the day that you had called the operations tower sick call line but we received no message. On 07/19/11 you were scheduled 0500-0900 and did not advise us prior to the start of your shift that you were ill. You again communicated later in the day that you had called the operations tower sick call line but we received no message. The line had been tested in both occasions and accepted messages.

### EXPECTATION(S) FOR SUSTAINED CHANGE IN BEHAVIOR AND/OR PERFORMANCE

Per the Customer Service Attendance policy noted in the Customer Service Department Handbook, section 8.02, an employee must notify his manager prior to the beginning of a scheduled shift if he will be absent as defined above. An employee should work with his manager to assure he fully understands how to report late arrival or illness locally. The call in policy will differ from station to station and it is the employee's responsibility to be aware of local procedures.

Unless otherwise indicated, all warnings / corrective actions remain effective for one (1) year.

You are expected to immediately take whatever action is necessary to meet the expectations for sustained change in your behavior and/or performance as outlined in this document. If, at any time during the warning period or thereafter, you fail to meet expectations or fail to make sufficient and sustained progress toward meeting stated expectations, additional action may be taken, up to and including termination of your employment.

Issued by:

SUPERVISOR NAME/SIGNATURE

*Beth Nacker* *Beth Nacker* DATE 7/21/11

PRINT

SIGN

Employee acknowledgement on back of sheet.

EXHIBIT

D 000352

**EMPLOYEE ACKNOWLEDGEMENT**

I acknowledge and understand the following:

The information in this document was discussed with me and my signature indicates that I have received a copy of the Disciplinary Action Record, but does not necessarily mean that I agree with this action or the reasons given for it.

Failure to improve my performance and/or behavior as described may result in further action, including termination.

EMPLOYEE  
SIGNATURE

*Dawn Roter*

DATE

*7/21/11*

EMPLOYEE COMMENTS

*These attendance warnings are due to being on the kidney transplant list - that I got sick - I had almost perfect attendance.*

Original to HR; copy to employee; copy to performing supervisor

REPUBLIC AIRWAYS

## PERFORMANCE COUNSELING RECORD

EMPLOYEE NAME	Dalina Roter	DATE	8/5/11
DEPARTMENT / LOCATION	MKE Ops Tower	POSITION	Ops Agent
			EE# 417671

### TYPE OF PERFORMANCE COUNSELING:

Verbal Warning       Written Warning       Final Warning / Suspension

Refer to Employee Handbook or Dept. specific guidelines for information regarding performance and conduct.

Was EAP offered?       YES       NO

Was FMLA discussed?       YES       NO

If you or a qualifying family member has a serious health condition, you may qualify for FMLA and should request information from your supervisor.

REASON(S) FOR PERFORMANCE COUNSELING (Be specific, refer to previous performance counseling as appropriate.)

On 08/02/11, you were scheduled 0900-1200 for training and did not advise us prior to the start of your shift that you would not be in. The trainer sent you a text message at 0910 of which you responded at 0925 that you just woke up and that you would not be coming because your daughter was ill. Instead of calling the ops supervisor on duty, you sent your direct supervisor who was off that day a text message at 0955 that you would not be in. On 07/21/11 you were counseled and received a written warning for not following proper call in procedures.

### EXPECTATION(S) FOR SUSTAINED CHANGE IN BEHAVIOR AND/OR PERFORMANCE

Per the Customer Service Attendance policy noted in the Customer Service Department Handbook, section 8.02, an employee must notify his manager prior to the beginning of a scheduled shift if he will be absent as defined above. An employee should work with his manager to assure he fully understands how to report late arrival or illness locally. The call in policy will differ from station to station and it is the employee's responsibility to be aware of local procedures.

Unless otherwise indicated, all warnings / corrective actions remain effective for one (1) year.

You are expected to immediately take whatever action is necessary to meet the expectations for sustained change in your behavior and/or performance as outlined in this document. If, at any time during the warning period or thereafter, you fail to meet expectations or fail to make sufficient and sustained progress toward meeting stated expectations, additional action may be taken, up to and including termination of your employment.

Issued by:

SUPERVISOR NAME/SIGNATURE Beth Nacker Beth Nacker DATE 8/5/11  
PRINT SIGN

Employee acknowledgement on back of sheet.

EXHIBIT

D 000350

**EMPLOYEE ACKNOWLEDGEMENT**

I acknowledge and understand the following:

The information in this document was discussed with me and my signature indicates that I have received a copy of the Disciplinary Action Record, but does not necessarily mean that I agree with this action or the reasons given for it.

Failure to improve my performance and/or behavior as described may result in further action, including termination.

EMPLOYEE  
SIGNATURE

Dafina Rotza

DATE 8/5/11

EMPLOYEE COMMENTS

Original to HR; copy to employee; copy to performing supervisor



Frontier Airlines, Inc.  
General Mitchell  
International Airport  
5300 S. Howell Ave  
Milwaukee, WI 53207

P 720.374.4200.  
F 720.374.4375.

frontierairlines.com

August 23, 2011

Dafina Roter  
25501 W Loomis Rd  
Waterford, WI 53185

Dafina,

Your employment at Frontier Airlines has been terminated for attendance. As of 08/20/11, you had an attendance point balance of negative 8 points. On 8/13/11, you were a no call no show leaving you with a point balance of negative 1. You have since been absent for your shifts on 08/18/11, 08/19/11, and 08/20/11 leaving you with a point balance of negative 8.

In completing this termination, you are REQUIRED to turn in:

Item / Cost of Item if not returned

- Company issued ID / \$25.00
- Airport SIDA Badge / \$20 - \$100.00
- Airport parking hang tag (if applicable) / \$89.00
- Keys (if applicable) / \$12 per set or \$3.00 per key

Upon receipt of the above listed items, your final paycheck(s) will be released to you. For items not returned, reasonable amounts will be deducted from your last paycheck(s). Please call me at 414-294-6212 to arrange an immediate return of the above items. If you have any further questions or concerns regarding this matter, please do not hesitate to contact me.

Beth Nacker  
Manager, Customer Service

cc: Director MKE Station  
Human Resources  
Employee File

*A whole different animal.*™

EXHIBIT

10a5

D 000360

FRONTIER AIRLINES

## Attendance Policy

### Expectations:

Employees are expected to report to work as scheduled, this includes: regular scheduled hours, posted hours, and any trade hours. All employees are expected to strive for perfect attendance.

Each employee will have 24 points available for use during a rolling calendar year. If an employee's point total drops below zero due to absenteeism, the situation is considered excessive and will be considered as cause for termination of employment. All records of absence will be documented and kept in the employee's station working file, and occurrences at the level of Documented Verbal Warning or above, will also be placed in the employee's HR Company file.

### Point System

Points are deducted after each occurrence and a review of the previous twelve months is conducted to the specific date (i.e. if an occurrence happens on July 7, 2010, the employee's record is reviewed back to July 8, 2009). Points allocated to an employee are based upon the previous rolling twelve month period. Points are deducted for employees scheduled for 16 or more hours per week as follows, except as required by law (e.g., FMLA). Point deductions will be adjusted for employees scheduled for split shifts or scheduled less than 16 hours per week; see Employee Bluebook, Section 8.06.

#### Point Deductions:

→ **Tardy:** Arriving late to work (beyond Grace Period, see below) after the start of a shift, within the first 2 hours of a shift. See "Attendance Reporting".

First four tardies in employee's rolling year:

If late to work 0-30 minutes (after 5 minute grace period) = 1 point

If late to work 31-120 minutes = 3 points

After first four tardies in employee's rolling year, every tardy of any length (after 5 minute grace period) = 3 points

→ **Absence:** Away from work on any scheduled workday for an entire shift or more than 2 hours of any part of a scheduled shift. See "Attendance Reporting" = 4 points

EXHIBIT

D 000078

FRONTIER AIRLINES

## Attendance Policy

- **Partial Absence:** Leaving work within 2 hours of the end of a scheduled shift. TDC is not a Partial Absence.

First four Partial Absences in employee's rolling year = 1 Point

Subsequent Partial Absences in employee's rolling year = 3 Points

- **No Call-No Show:** failing to notify the manager or report to work for a scheduled shift. See "Attendance Reporting" = 13 points

No Call-No Show is considered much more serious than an Absence or Tardy and may only be allowed once annually before possible termination. Due to the serious nature of a No Call-No Show a deduction of 13 points may escalate an employee directly to Final Termination Warning or suspension, bypassing Verbal and Written Warnings.

*Points will be deducted from the employee's bank for each occurrence. Points remaining will result in actions as described below (for information on appeals for Written Warnings or Final Termination Warnings, see Blue Book Section 7):*

### 13 or more points

Absence is recorded and employee is notified of current point total. Employee may supply documentation. The occurrence will not be documented on the Performance Counseling Record.

### 9 to 12 points

Verbal Warning (with written documentation provided), the absence is recorded, attendance policy reviewed, and the occurrence documented on the Performance Counseling Record. The employee is notified of his/her current point total and is also notified that any additional incident resulting in a point balance at zero or below may result in suspension and/or termination of employment pending investigation.

### 4 to 8 points

Written Warning (with written documentation provided), the absence is recorded, attendance policy reviewed, and the occurrence documented on the Performance Counseling Record. The employee is notified of his/her current point total and is also notified that any additional incident resulting in a point balance at zero or below may result in suspension and/or termination of employment pending investigation.

### 0 to 3 points

Final Termination Warning (with written documentation provided). Any additional occurrence reducing the employee's point balance to zero or below, the absence is recorded, attendance policy reviewed, and the occurrence documented on the Performance Counseling Record. The employee is notified of his/her current point total and is also notified that any additional incident resulting in a point balance at zero or below may result in suspension and/or termination of employment pending investigation.

### Less than 0 points

Possible suspension and termination of employment pending investigation.

**From:** Roter, Dafina A. <Dafina.Roter@midwestairlines.com>  
**Sent:** Friday, July 23, 2010 5:05 PM  
**To:** LOA Frontier Employees  
**Cc:** Lehrman, Jason J.

Good Afternoon....

I was wondering what I needed to do to apply for FMLA? Was sick due to my health condition last week.

Dafina Roter - Customer Service - Operations MIDWEST AIRLINES | FRONTIER AIRLINES Operations Tower - MKE  
Midwest Airlines, Inc. MKE/PAX/AP  
5300 South Howell Avenue  
Milwaukee, Wisconsin 53207  
( 414.294.6304 - B | 7 414.294.6208  
[dafina.roter@midwestairlines.com](mailto:dafina.roter@midwestairlines.com)  
[dafina.roter@flyfrontier.com](mailto:dafina.roter@flyfrontier.com)

P Please consider the environment before printing this email.

EXHIBIT

D 000551

**From:** RightFax <corporate\RFAQ@172.16.2.23>  
**Sent:** Wednesday, August 11, 2010 3:05 PM  
**To:** LOA (RP,RW,S5)  
**Subject:** Roter, Dafina  
**Attachments:** B005B127.PDF

A fax has arrived from remote ID '1 414 383 8089'.

---

Time: 8/11/2010 3:01:46 PM  
Received from remote ID: 1 414 383 8089  
Inbound user ID LEAVEFAX, routing code 4561  
Result: (0/352;0/0) Successful Send  
Page record: 1 - 3  
Elapsed time: 02:10 on channel 3

EXHIBIT

D 000553

\* \* \*  
REPUBLIC AIRWAYS  
\* \* \*Certification of Health Care Provider for Employee's Serious Health Condition  
(Family and Medical Leave Act)

**SECTION 1: For Completion by the EMPLOYEE:** The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider.

Employee Name Dafina Roter Company ID# 17671

Position operations tower Check if job description is attached: \_\_\_\_\_

Employee is requesting (check one)  Intermittent FMLA  Continuous FMLA

The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request.

**SECTION 2: For Completion by the HEALTH CARE PROVIDER:** Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "Indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Please be sure to sign the form on the last page.

Provider's name and business address: Dr. Wm. Elliott

(stamp may be used) 2901 W. Kinnickinnic River Pkwy

Type of practice / Medical specialty: Nephrology

Telephone: (414) 383-2744

Fax: (414) 383-8089

Dafina  
Roter

DOD 10-2171

**PART A: MEDICAL FACTS**

1. Please describe the diagnosis, treatment plan, and all other relevant medical facts concerning the condition for which the employee is requesting leave. Such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as a course of prescription medication, or the use of specialized equipment:

CKD-Stage 4, uncontrolled hypertension, - causes visual obs/ HTA's  
Metoprolol, Clonidine, Diovan/HCT,

2. Approximate date condition commenced: Approx 11-24-2008

Probable duration of condition: Ongoing.

**Mark below as applicable:**

a) Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?  No  Yes. If so, dates of admission: \_\_\_\_\_ Date(s) you treated the patient for condition: \_\_\_\_\_

b) Will the patient need to have treatment visits at least twice per year due to the condition?  No  Yes.

c) Was medication, other than over-the-counter medication, prescribed?  No  Yes.

d) Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?  No  Yes If so, state the nature of such treatments and expected duration of treatment: To Froedert Kidney transplant Program

2. Is the medical condition pregnancy?  No  Yes. If so, expected delivery date: \_\_\_\_\_

3. Use the information provided by the employer in Section I to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his/her job functions. Is the employee unable to perform any of his/her job functions due to the condition?  No  Yes.

If so, identify the job functions the employee is unable to perform:

must take extra BP medication  
+ Bedrest

Dafina Roter

DOB  
10-21-74PART B: AMOUNT OF LEAVE NEEDED

5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery?  No  Yes.

a) If so, estimate the beginning and ending dates for the period of incapacity: \_\_\_\_\_

6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition?  No  Yes.

a) If so, are the treatments or the reduced number of hours of work medically necessary?  No  Yes.

b) Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period: Follow up in office every 4 months

c) Estimate the part-time or reduced work schedule the employee needs, if any:  hour(s) per day;  days per week from  through

7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions?  No  Yes.

a) Is it medically necessary for the employee to be absent from work during the flare-ups?

No  Yes. If so, explain: Bed rest / ↑ BP meds

b) Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency: 2-3 times per 1 week(s) 1 month(s) 6

Duration: 1 hour(s) or 1/2 day(s) per episode

W. Ellist

Signature of Health Care Provider

Date

8/10/10

8909 Purdue Road, Indianapolis, Indiana 46268 Tele: (317) 246-2649 Fax (317) 484-4561, LOA@rls.com

Revised 07/08/09

D 000556

**From:** Roter, Dafina A. <Dafina.Roter@midwestairlines.com>  
**Sent:** Thursday, August 19, 2010 2:54 PM  
**To:** LOA Frontier Employees  
**Cc:** Lehrman, Jason J.  
**Subject:** RE: FMLA paperwork Dafina Roter  
  
**Importance:** High

My nurse stated she faxed it last Wednesday, I left a message for you that day and sent a email and didn't hear back from you until today, 7 business days later. The deadline was the 13th and I've been leaving messages since the 11th. They will be re-faxing it today, PLEASE notify me as to if you receive it today. I am very disappointed in the communication with this whole process. I would appreciate it if you would reconsider covering the last day I requested to go under FMLA also. It's very hard to meet the guide lines if no one e-mails me back or confirms that the paperwork made it to your office.

**Dafina Roter - Customer Service - Operations**  
**MIDWEST AIRLINES | FRONTIER AIRLINES**  
**Operations Tower - MKE**  
Midwest Airlines, Inc. MKE/PAX/AP  
5300 South Howell Avenue  
Milwaukee, Wisconsin 53207  
414.294.6304 - B | 414.294.6208  
[dafina.roter@midwestairlines.com](mailto:dafina.roter@midwestairlines.com)  
[dafina.roter@flyfrontier.com](mailto:dafina.roter@flyfrontier.com)

 Please consider the environment before printing this email.

---

**From:** LOA Flyfrontier [mailto:[LOAFlyfrontier@rjet.com](mailto:LOAFlyfrontier@rjet.com)]  
**Sent:** Thu 8/19/2010 11:44 AM  
**To:** Roter, Dafina A.  
**Subject:** RE:

Hi Dafina,

Unfortunately, I don't see that it arrived. Would you be able to fax again? I'm happy to watch out for it and let you know when it's here, but right now it is not appearing in any of our work. The fax number is below my name, and I apologize for any inconvenience.

Sincerely,

Lisa L. Evans  
Leave of Absence Supervisor, Human Resources  
Republic Airways Holdings  
Phone: 317-246-2649  
Fax: 317-484-4561

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TO REPUBLIC AIRWAYS HOLDINGS EMPLOYEES: The content of this email is confidential as set forth in the Privacy Policy of the Associate Handbook, and may NOT be publically disclosed or disseminated. Violation of this policy may result in disciplinary action up to and including discharge.

-----Original Message-----

**EXHIBIT**

D 000558

From: Roter, Dafina A. [<mailto:Dafina.Roter@midwestairlines.com>]  
Sent: Friday, August 13, 2010 5:04 PM  
To: LOA Flyfrontier  
Cc: Lehrman, Jason J.  
Subject:

Good Afternoon...

I left a message earlier today to make sure that you received my FMLA paperwork that Dr.Elliott faxed to you.I have not heard back from anyone, it was faxed wednesday because my Dr was on vacation the week prior. Could you please get back to me to verify that you received it ?

Dafina Roter - Customer Service - Operations MIDWEST AIRLINES | FRONTIER AIRLINES Operations Tower - MKE  
Midwest Airlines, Inc. MKE/PAX/AP  
5300 South Howell Avenue  
Milwaukee, Wisconsin 53207  
( 414.294.6304 - B | 7 414.294.6208  
[dafina.roter@midwestairlines.com](mailto:dafina.roter@midwestairlines.com)  
[dafina.roter@flyfrontier.com](mailto:dafina.roter@flyfrontier.com)

P Please consider the environment before printing this email.

**Medina, Melissa J.**

**From:** Roter, Dafina A. [Dafina.Roter@midwestairlines.com]  
**Sent:** Saturday, September 04, 2010 8:07 AM  
**To:** LOA Flyfrontier  
**Subject:** RE: Roter, Dafina

Dear Sir....

My hire date is 08SEP03..., would you like a copy of my badge? I don't understand all of the confusion with my case? I have to go in for a Kidney Transplant, I've gotten the run around for months with my FMLA situation. I've been told by two people that I was approved, and now your telling me something completely different. Our company has changed hands three times in the last year, and not one response has been consistent. As far as I know, we didn't loose seniority with going from a Midwest emp to RPA to F9. PLEASE clarify, I've calculated my hours, and I do have enough for FMLA. I am getting very frustrated with all of the run around and inconsistent answers, this is the last thing I need with my health situation. Please get back to me as soon as you can.

Dafina Roter

-----Original Message-----

**From:** LOA Flyfrontier [mailto:[LOAFlyfrontier@jet.com](mailto:LOAFlyfrontier@jet.com)]  
**Sent:** Thursday, September 02, 2010 2:44 PM  
**To:** Roter, Dafina A.  
**Subject:** RE: Roter, Dafina

Dafina,

I just sent you an email containing the report I ran in order to determine the hours you have worked within the last year. Additionally, it appears your hire date was 12/01/2009. You must have been with the company for 1 year in order to be eligible.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,

Eric W. Kartchner  
Leave of Absence Coordinator  
Republic Airways Holdings, Inc.  
Phone (317) 471-2496  
Fax (317) 484-4561

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**TO REPUBLIC AIRWAYS HOLDINGS EMPLOYEES:** The content of this email is confidential as set forth in the Privacy Policy of the Associate Handbook, and may NOT be publically disclosed or disseminated. Violation of this policy may result in disciplinary action up to and including discharge.

-----Original Message-----

From: Roter, Dafina A. [mailto:[Dafina.Roter@midwestairlines.com](mailto:Dafina.Roter@midwestairlines.com)]  
Sent: Wednesday, August 25, 2010 9:55 PM  
To: LOA Flyfrontier  
Subject: RE: Roter, Dafina

Dear Sir,

I apologize for taking a few days to reply, but I need to go through some of my records. I was wondering if you could recalculate my hours? I received a email in February stating that I have 1106.75 hours, since then I have picked up a lot of hours at work also. I also received a email from Barbie Butler stating that she's verified my eligibility, and I am eligible for the FMLA at this time. I can forward them to you if you'd like. Could you PLEASE review it again?

Dafina Roter - Customer Service - Operations MIDWEST AIRLINES | FRONTIER AIRLINES Operations  
Tower - MKE  
Midwest Airlines, Inc. MKE/PAX/AP  
5300 South Howell Avenue  
Milwaukee, Wisconsin 53207  
( 414.294.6304 - B | 7 414.294.6208  
[dafina.roter@midwestairlines.com](mailto:dafina.roter@midwestairlines.com)  
[dafina.roter@flyfrontier.com](mailto:dafina.roter@flyfrontier.com)

Please consider the environment before printing this email.

-----Original Message-----

From: LOA Flyfrontier [mailto:[LOAFlyfrontier@rjet.com](mailto:LOAFlyfrontier@rjet.com)]  
Sent: Thu 8/19/2010 3:43 PM  
To: Roter, Dafina A.  
Subject: FW: Roter, Dafina

Dafina,

I am sorry to inform you, but you have not worked enough hours within the last 12 months to qualify for FMLA. Our records indicate that for the period of 08/19/2009 - 08/19/2010 you have worked a total of 784 hours. In order to be eligible for FMLA, an employee must have worked a total of 1,000 hours within a rolling calendar year per Wisconsin Law. I am unable to recommend a Non-FMLA leave, because a Non-FMLA would be continuous in nature and not intermittently used. That leaves you with the option of a personal leave. A personal leave can only be approved by your supervisor. In order for me to request this from your supervisor, I need to know the dates in which you would like to be off.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,

Eric W. Kartchner

Leave of Absence Coordinator

Republic Airways Holdings, Inc.

Phone (317) 471-2496

Fax (317) 484-4561

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**Medina, Melissa J.**

**From:** Roter, Dafina A. [Dafina.Roter@midwestairlines.com]  
**Sent:** Friday, September 17, 2010 1:15 PM  
**To:** LOA  
**Cc:** Lehrman, Jason J.  
**Subject:** RE: Roter, Dafina  
  
**Categories:** F9 Recodes

Barbie,

Thank you getting everything straightened out. I used 5hrs of FMLA today due to a blood pressure spike and vomitting. I also saw my DR today and have a written excuse also. My supervisor and scheduling have been notified. I also left you a voice mail today regarding my sickness today. Have a good weekend.

Dafina Roter - Customer Service - Operations MIDWEST AIRLINES | FRONTIER AIRLINES Operations  
Tower - MKE  
Midwest Airlines, Inc. MKE/PAX/AP  
5300 South Howell Avenue  
Milwaukee, Wisconsin 53207  
( 414.294.6304 - B | 7 414.294.6208  
dafina.roter@midwestairlines.com  
dafina.roter@flyfrontier.com  
P Please consider the environment before printing this email.

-----Original Message-----

From: LOA [mailto:LOA@flychautauqua.com]  
Sent: Mon 9/13/2010 8:37 AM  
To: Roter, Dafina A.  
Cc: Nacker, Beth A.; Velandia, Ana C.; Evans, Lisa  
Subject: RE: Roter, Dafina

Dafina,

Dafina,

I wanted to follow up and clarify with you on your FMLA. You are currently qualified under Wisconsin law in which you have worked over 1,000 hours. Wisconsin FMLA only qualifies you to use up to 2 weeks (80 hours) in a 12 month period and not 480 hours as stated on your original approval letter.

Please contact me if you have any other questions.

Barbie Butler  
Leave of Absence Assistant | Republic Airways Holdings, Inc.  
Phone: (317) 471-2595 | Fax: (317) 484- 4561 CONFIDENTIALITY NOTICE: This email may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you have

received this communication in error, please notify the sender immediately by e-mail and delete the message and any file attachments from your computer.

TO REPUBLIC AIRWAYS HOLDINGS EMPLOYEES: The content of this email is confidential as set forth in the Privacy Policy of the Associate Handbook, and may NOT be publically disclosed or disseminated. Violation of this policy may result in disciplinary action up to and including discharge.

From: LOA Flyfrontier  
Sent: Tuesday, September 07, 2010 1:37 PM  
To: Roter, Dafina A.  
Subject: RE: Roter, Dafina

Dafina,

Eric and I looked into your hours and as of today, you have 1,119 hours- which is enough to qualify for FMLA. We apologize for the confusion, as with being with the multiple companies we had to run multiple reports and combine them to ensure the hours (and even hire date) added up to qualify for FMLA. We apologize for the amount of time and frustration this may have caused you, but we have finally gotten everything straightened out. Below please find an approval letter, and if you have any other questions, please feel free to reply to this email or give Eric or me a call. - Barbie

Dear Dafina:

Thank you for submitting necessary documents with your application for a leave of absence. Although we've communicated via phone and/or email, I appreciate the opportunity to follow up with a written communication of your approval for an intermittent FMLA.

LOA Start Date: 07/29/10

LOA End Date: 12/31/10

Reason for your Intermittent FMLA Leave:

Your own Medical Condition

The medical condition of your  child  parent  spouse

Your request for an intermittent FMLA is approved for the period listed above. Eligible employees may be able to use up to 480 hours in a rolling 12 month period. (\*Wisconsin is based on an annual usage period). Each request is reviewed to determine whether an employee has met both eligibility requirements: 1) 12 months of employment with the company and 2) 1250 work hours completed in a rolling 12-month period. A rolling 12-month period is established by looking back 12 months from the date being requested. Should you have any questions, please feel free to contact me.

Please note your schedule is your primary responsibility and you are responsible to contact crew scheduling and notify them of your absence. Employees must adhere to established company policy for calling in. After completing this step, please contact me the same day via email at LOAflyfrontier@rjet.com or by voicemail at the number below.

While out on leave, your accrued sick, vacation/ pdo time will be paid in accordance with company policy and/or collective bargaining agreement. Please be advised if any time is paid out, time missed will still count toward your FMLA leave entitlement.

Should you have any questions, please feel free to respond to this email or send an email to LOAflyfrontier@RJET.COM

Barbie Butler

Leave of Absence Assistant | Republic Airways Holdings, Inc.

Phone: (317) 471-2595 | Fax: (317) 484- 4561

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-----Original Message-----

From: Roter, Dafina A. [mailto:[Dafina.Roter@midwestairlines.com](mailto:Dafina.Roter@midwestairlines.com)]  
Sent: Saturday, September 04, 2010 10:07 AM  
To: LOA Flyfrontier  
Subject: RE: Roter, Dafina

Dear Sir....

My hire date is 08SEP03....would you like a copy of my doc? I don't understand all of the confusion with my case? I have to go in for a Kidney Transplant, I've gotten the run around for months with my FMLA situation. I've been told by two people that I was approved, and now your telling me something completely different. Our company has changed hands three times in the last year, and not one response has been consistant. As far as I know, we didn't loose seniority with going from a Midwest emp to RPA to F9.

PLEASE clarify. I've calculated my hours, and I do have enough for FMLA. I am getting very frustrated with all of the run around and inconsistant answers, this is the last thing I need with my health situation. Please get back to me as soon as you can.

Dafina Roter

-----Original Message-----

From: LOA Flyfrontier [mailto:[LOAFlyfrontier@rjet.com](mailto:LOAFlyfrontier@rjet.com)]

Sent: Thursday, September 02, 2010 2:44 PM

To: Roter, Dafina A.

Subject: RE: Roter, Dafina

Dafina,

I just sent you an email containing the report I ran in order to determine the hours you have worked within the last year. Additionally, it appears your hire date was 12/01/2009. You must have been with the company for 1 year in order to be eligible.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,

Eric W. Kartchner

Leave of Absence Coordinator

Republic Airways Holdings, Inc.

Phone (317) 471-2496

Fax (317) 484-4561

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-----Original Message-----

From: Roter, Dafina A. [mailto:[Dafina.Roter@midwestairlines.com](mailto:Dafina.Roter@midwestairlines.com)]  
Sent: Wednesday, August 25, 2010 9:55 PM  
To: LOA Flyfrontier  
Subject: RE: Roter, Dafina

Dear Sir,

I apologize for taking a few days to reply, but I need to go through some of my records. I was wondering if you could recalculate my hours? I received an email in February stating that I have 1106.75 hours, since then I have picked up a lot of hours at work also. I also received an email from Barbie Butler stating that she's verified my eligibility, and I am eligible for the FMLA at this time. I can forward them to you if you'd like. Could you PLEASE review it again?

Dafina Roter - Customer Service - Operations MIDWEST AIRLINES | FRONTIER AIRLINES Operations  
Tower - MKE

Midwest Airlines, Inc. MKE/PAX/AP

5300 South Howell Avenue

Milwaukee, Wisconsin 53207

( 414.294.6208 | 7 414.294.6208

dafina.roter@midwestairlines.com

dafina.roter@flyfrontier.com

Please consider the environment before printing this email.

-----Original Message-----

From: LOA Flyfrontier [mailto:[LOAFlyfrontier@rjet.com](mailto:LOAFlyfrontier@rjet.com)]

Sent: Thu 8/19/2010 3:43 PM

To: Roter, Dafina A.

Subject: FW: Roter, Dafina

Dafina,

I am sorry to inform you, but you have not worked enough hours within the last 12 months to qualify for FMLA. Our records indicate that for the period of 08/19/2009 - 08/19/2010 you have worked a total of 784 hours. In order to be eligible for FMLA, an employee must have worked a total of 1,000 hours within a rolling calendar year per Wisconsin Law. I am unable to recommend a Non-FMLA leave, because a Non-FMLA would be continuous in nature and not intermittently used. That leaves you with the option of a personal leave. A personal leave can only be approved by your supervisor. In order for me to request this from your supervisor, I need to know the dates in which you would like to be off.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,

Eric W. Kartchner

Leave of Absence Coordinator

Republic Airways Holdings, Inc.

Phone (317) 471-2496

Fax (317) 484-4561

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TO REPUBLIC AIRWAYS HOLDINGS EMPLOYEES: The content of this email is confidential as set forth in the Privacy Policy of the Associate Handbook, and may NOT be publically disclosed or disseminated. Violation of this policy may result in disciplinary action up to and including discharge.

## Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Wed 12/30/2009		0	
Thu 12/31	8.25	8.25	
Fri 1/01/2010	8.5	16.75	
Fri 1/01		16.75	
Sat 1/02		16.75	
Sun 1/03		16.75	
Mon 1/04		16.75	
Tue 1/05		16.75	
Wed 1/06	4.5	21.25	
Thu 1/07	5.5	26.75	
Fri 1/08	10	36.75	
Sat 1/09	4.5	41.25	
Sun 1/10		41.25	
Mon 1/11		41.25	
Tue 1/12		41.25	
Wed 1/13	4.5	45.75	
Thu 1/14	8.25	54	
Fri 1/15	5.5	59.5	
Sat 1/16	4.5	64	
Sun 1/17		64	
Mon 1/18	8	72	
Tue 1/19		72	
Wed 1/20	4.5	76.5	
Thu 1/21	4.5	81	
Fri 1/22	7.75	88.75	
Sat 1/23	4.5	93.25	
Sun 1/24		93.25	
Mon 1/25	5	98.25	
Tue 1/26		98.25	
Wed 1/27	4.5	102.75	
Thu 1/28	4.5	107.25	
Fri 1/29		107.25	
Sat 1/30		107.25	
Sun 1/31		107.25	
Mon 2/01		107.25	
Tue 2/02		107.25	
Wed 2/03		107.25	
Thu 2/04		107.25	
Fri 2/05		107.25	
Sat 2/06		107.25	
Sun 2/07		107.25	
Mon 2/08		107.25	
Tue 2/09		107.25	
Wed 2/10		107.25	

EXHIBIT

D 000626

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Thu 2/11		107.25	
Fri 2/12		107.25	
Sat 2/13		107.25	
Sun 2/14		107.25	
Mon 2/15	9	116.25	
Tue 2/16		116.25	
Wed 2/17	4.5	120.75	
Thu 2/18	4.5	125.25	
Fri 2/19	5.75	131	
Sat 2/20	4.5	135.5	
Sat 2/20		135.5	
Mon 2/22		135.5	
Tue 2/23		135.5	
Wed 2/24	4.5	140	
Thu 2/25	4.5	144.5	
Fri 2/26	10	154.5	
Sat 2/27	4.5	159	
Sun 2/28		159	
Mon 3/01		159	
Tue 3/02		159	
Wed 3/03	4.5	163.5	
Thu 3/04	4.5	168	
Fri 3/05	10	178	
Sat 3/06	9	187	
Sun 3/07		187	
Mon 3/08		187	
Tue 3/09		187	
Wed 3/10		187	
Thu 3/11		187	
Fri 3/12	7.5	194.5	
Sat 3/13	9	203.5	
Sun 3/14		203.5	
Mon 3/15		203.5	
Tue 3/16		203.5	
Wed 3/17		203.5	
Thu 3/18	3.75	207.25	
Fri 3/19	7	214.25	
Sat 3/20	8.75	223	
Sun 3/21		223	
Mon 3/22	10	233	
Tue 3/23		233	
Wed 3/24		233	
Thu 3/25		233	
Fri 3/26	7.5	240.5	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Sat 3/27	9	249.5	
Sun 3/28		249.5	
Mon 3/29	10	259.5	
Tue 3/30	5.5	265	
Wed 3/31	5.5	270.5	
Thu 4/01		270.5	
Fri 4/02	7.5	278	
Sat 4/03	9	287	
Sun 4/04		287	
Mon 4/05	10	297	
Tue 4/06	6	303	
Wed 4/07		303	
Thu 4/08		303	
Fri 4/09	7.5	310.5	
Sat 4/10	9	319.5	
Sun 4/11		319.5	
Mon 4/12		319.5	
Tue 4/13		319.5	
Wed 4/14		319.5	
Thu 4/15		319.5	
Fri 4/16	7.5	327	
Sat 4/17	9	336	
Sun 4/18		336	
Mon 4/19	10	346	
Tue 4/20		346	
Wed 4/21		346	
Thu 4/22	5.5	351.5	
Fri 4/23	7.5	359	
Sat 4/24	9	368	
Sun 4/25	10	378	
Mon 4/26	7.5	385.5	
Tue 4/27		385.5	
Wed 4/28		385.5	
Thu 4/29		385.5	
Fri 4/30	7.5	393	
Sat 5/01	7	400	
Sun 5/02		400	
Mon 5/03	10	410	
Tue 5/04		410	
Wed 5/05		410	
Thu 5/06		410	
Fri 5/07	7.5	417.5	
Sat 5/08	9	426.5	
Sun 5/09		426.5	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Mon 5/10		426.5	
Tue 5/11		426.5	
Wed 5/12		426.5	
Thu 5/13		426.5	
Fri 5/14	7.5	434	
Sat 5/15	9	443	
Sun 5/16	9.5	452.5	
Mon 5/17	10	462.5	
Tue 5/18		462.5	
Wed 5/19	6	468.5	
Thu 5/20		468.5	
Fri 5/21	7.5	476	
Sat 5/22	4	480	
Sun 5/23		480	
Mon 5/24	8.25	488.25	
Tue 5/25	5	493.25	
Wed 5/26		493.25	
Thu 5/27	4.5	497.75	
Fri 5/28		497.75	
Sat 5/29	4.5	502.25	
Sun 5/30		502.25	
Mon 5/31		502.25	
Tue 6/01		502.25	
Wed 6/02		502.25	
Thu 6/03	10	512.25	
Fri 6/04	7.5	519.75	
Sat 6/05	10	529.75	
Sun 6/06		529.75	
Mon 6/07		529.75	
Tue 6/08	3.5	533.25	
Wed 6/09		533.25	
Thu 6/10		533.25	
Fri 6/11	5	538.25	
Sat 6/12	10	548.25	
Sun 6/13		548.25	
Mon 6/14		548.25	
Tue 6/15	4	552.25	
Wed 6/16	5.75	558	
Thu 6/17	10	568	
Fri 6/18		568	
Sat 6/19		568	
Sun 6/20		568	
Mon 6/21		568	
Tue 6/22		568	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Wed 6/23		568	
Thu 6/24		568	
Fri 6/25		568	
Sat 6/26	10	578	
Sun 6/27		578	
Mon 6/28		578	
Tue 6/29		578	
Wed 6/30		578	
Thu 7/01	9.5	587.5	
Fri 7/02	9.25	596.75	
Sat 7/03	10	606.75	
Sun 7/04		606.75	
Mon 7/05		606.75	
Tue 7/06		606.75	
Wed 7/07		606.75	
Thu 7/08	10	616.75	
Fri 7/09	10	626.75	
Sat 7/10	6.75	633.5	
Sun 7/11	9	642.5	
Mon 7/12	7.25	649.75	
Tue 7/13	2.5	652.25	
Wed 7/14		652.25	
Thu 7/15	5.25	657.5	
Fri 7/16		657.5	
Sat 7/17	10	667.5	
Sun 7/18		667.5	
Mon 7/19	5.5	673	
Tue 7/20	6.25	679.25	
Wed 7/21		679.25	
Thu 7/22	10	689.25	
Fri 7/23	5	694.25	
Sat 7/24	10	704.25	
Sun 7/25		704.25	
Mon 7/26	5.5	709.75	
Tue 7/27		709.75	
Wed 7/28		709.75	
Thu 7/29	10	719.75	
Fri 7/30	4.75	724.5	
Sat 7/31	8.5	733	
Sun 8/01		733	
Mon 8/02		733	
Tue 8/03		733	
Wed 8/04		733	
Thu 8/05	5.75	738.75	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Fri 8/06		738.75	
Sat 8/07	9.5	748.25	
Sun 8/08		748.25	
Mon 8/09		748.25	
Tue 8/10		748.25	
Wed 8/11		748.25	
Thu 8/12	10	758.25	
Fri 8/13	5	763.25	
Sat 8/14	0	763.25	
Sun 8/15		763.25	
Mon 8/16	4	767.25	
Tue 8/17		767.25	
Wed 8/18		767.25	
Thu 8/19	10	777.25	
Fri 8/20	5	782.25	
Sat 8/21	10	792.25	
Sun 8/22		792.25	
Mon 8/23		792.25	
Tue 8/24		792.25	
Wed 8/25		792.25	
Thu 8/26	10	802.25	
Fri 8/27	5	807.25	
Sat 8/28	10	817.25	
Sun 8/29		817.25	
Mon 8/30		817.25	
Tue 8/31		817.25	
Wed 9/01		817.25	
Thu 9/02	10	827.25	
Fri 9/03	5	832.25	
Sat 9/04	10	842.25	
Sun 9/05		842.25	
Mon 9/06	9	851.25	
Tue 9/07		851.25	
Wed 9/08		851.25	
Thu 9/09	10	861.25	
Fri 9/10		861.25	
Sat 9/11	10	871.25	
Sun 9/12		871.25	
Mon 9/13		871.25	
Tue 9/14		871.25	
Wed 9/15		871.25	
Thu 9/16	4.5	875.75	
Fri 9/17		875.75	
Sat 9/18	10	885.75	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Sun 9/19		885.75	
Mon 9/20		885.75	
Tue 9/21		885.75	
Wed 9/22		885.75	
Thu 9/23	9.75	895.5	
Fri 9/24	5	900.5	
Sat 9/25	10	910.5	
Sun 9/26		910.5	
Mon 9/27		910.5	
Tue 9/28		910.5	
Wed 9/29		910.5	
Thu 9/30	10	920.5	
Fri 10/01	5	925.5	
Sat 10/02	10	935.5	
Sun 10/03	4	939.5	
Mon 10/04		939.5	
Tue 10/05		939.5	
Wed 10/06		939.5	
Thu 10/07	10	949.5	
Fri 10/08	10	959.5	
Sat 10/09	9.75	969.25	
Sun 10/10		969.25	
Mon 10/11		969.25	
Tue 10/12		969.25	
Wed 10/13		969.25	
Thu 10/14	10	979.25	
Fri 10/15	5	984.25	
Sat 10/16		984.25	
Sun 10/17		984.25	
Mon 10/18		984.25	
Tue 10/19		984.25	
Wed 10/20		984.25	
Thu 10/21	10	994.25	
Fri 10/22	5	999.25	
Sat 10/23	10	1009.25	
Sun 10/24	5	1014.25	
Mon 10/25		1014.25	
Tue 10/26		1014.25	
Wed 10/27		1014.25	
Thu 10/28	10	1024.25	
Fri 10/29	5	1029.25	
Fri 10/29	5	1034.25	
Sat 10/30	10	1044.25	
Sun 10/31		1044.25	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Mon 11/01		1044.25	
Tue 11/02		1044.25	
Wed 11/03		1044.25	
Thu 11/04	10	1054.25	
Fri 11/05		1054.25	
Sat 11/06	10	1064.25	
Sun 11/07	9	1073.25	
Mon 11/08		1073.25	
Tue 11/09		1073.25	
Wed 11/10		1073.25	
Thu 11/11	10	1083.25	
Fri 11/12	5	1088.25	
Sat 11/13	9	1097.25	
Sun 11/14		1097.25	
Mon 11/15	7.5	1104.75	
Tue 11/16	4	1108.75	
Wed 11/17		1108.75	
Thu 11/18		1108.75	
Fri 11/19	8	1116.75	
Sat 11/20	10.5	1127.25	
Sun 11/21	10	1137.25	
Mon 11/22		1137.25	
Tue 11/23		1137.25	
Wed 11/24		1137.25	
Thu 11/25		1137.25	
Fri 11/26		1137.25	
Sat 11/27	5.5	1142.75	
Sun 11/28	10.5	1153.25	
Mon 11/29	10.5	1163.75	
Tue 11/30	4	1167.75	
Wed 12/01		1167.75	
Thu 12/02		1167.75	
Fri 12/03	8	1175.75	
Sat 12/04	10.5	1186.25	
Sun 12/05	6	1192.25	
Sun 12/05	2	1194.25	
Mon 12/06	4.5	1198.75	
Tue 12/07	4	1202.75	
Wed 12/08	7	1209.75	
Thu 12/09		1209.75	
Fri 12/10	8	1217.75	
Sat 12/11	10.5	1228.25	
Sun 12/12		1228.25	
Mon 12/13	4.5	1232.75	

## Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Tue 12/14	4	1236.75	
Wed 12/15		1236.75	
Thu 12/16		1236.75	
Fri 12/17	5.5	1242.25	
Sat 12/18	4.5	1246.75	
Sun 12/19	5.5	1252.25	
Mon 12/20	4.5	1256.75	
Tue 12/21	7.5	1264.25	
Wed 12/22		1264.25	
Thu 12/23		1264.25	
Fri 12/24	7	1271.25	
Sat 12/25	4.5	1275.75	
Sun 12/26		1275.75	
Mon 12/27	4.5	1280.25	
Tue 12/28	4	1284.25	
Wed 12/29		1284.25	
Thu 12/30		1284.25	
Fri 12/31	7.25	1291.5	
Sat 1/01/2011	4.5	1296	
Sun 1/02		1296	
Mon 1/03		1296	
Tue 1/04	4	1300	
Wed 1/05		1300	
Thu 1/06		1300	
Fri 1/07	8	1308	
Sat 1/08	5	1313	
Sun 1/09	5.5	1318.5	
Mon 1/10	4.5	1323	
Tue 1/11		1323	
Wed 1/12		1323	
Thu 1/13		1323	
Fri 1/14		1323	
Sat 1/15		1323	
Sun 1/16		1323	
Mon 1/17	4.5	1327.5	
Tue 1/18	4	1331.5	
Wed 1/19		1331.5	
Thu 1/20		1331.5	
Fri 1/21		1331.5	
Sat 1/22	4.5	1336	
Sun 1/23		1336	
Mon 1/24	4.5	1340.5	
Tue 1/25	4	1344.5	
Wed 1/26		1344.5	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Thu 1/27	10	1354.5	
Fri 1/28	7.5	1362	
Sat 1/29	4.5	1366.5	
Sun 1/30	4	1370.5	
Mon 1/31	4.5	1375	
Tue 2/01	5	1380	
Wed 2/02		1380	
Thu 2/03		1380	
Fri 2/04	8	1388	
Sat 2/05	4.5	1392.5	
Sun 2/06		1392.5	
Mon 2/07	8	1400.5	
Tue 2/08	4	1404.5	
Wed 2/09		1404.5	
Thu 2/10		1404.5	
Fri 2/11		1404.5	
Sat 2/12	4.5	1409	
Sun 2/13		1409	
Mon 2/14	4.5	1413.5	
Tue 2/15	4	1417.5	
Wed 2/16		1417.5	
Thu 2/17		1417.5	
Fri 2/18	6.25	1423.75	
Sat 2/19	4.5	1428.25	
Sun 2/20		1428.25	
Mon 2/21	4.5	1432.75	
Tue 2/22		1432.75	
Wed 2/23		1432.75	
Thu 2/24		1432.75	
Fri 2/25	6.75	1439.5	
Sat 2/26	4.5	1444	
Sat 2/26	6	1450	
Sun 2/27		1450	
Mon 2/28	4.5	1454.5	
Tue 3/01	6	1460.5	
Wed 3/02		1460.5	
Thu 3/03		1460.5	
Fri 3/04	8	1468.5	
Sat 3/05	11.5	1480	
Sun 3/06		1480	
Mon 3/07	4.5	1484.5	
Tue 3/08	4	1488.5	
Wed 3/09		1488.5	
Thu 3/10		1488.5	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Fri 3/11	8	1496.5	
Sat 3/12	10.5	1507	
Sun 3/13		1507	
Mon 3/14		1507	
Tue 3/15		1507	
Wed 3/16		1507	
Thu 3/17		1507	
Fri 3/18		1507	
Sat 3/19		1507	
Sun 3/20		1507	
Mon 3/21	4.5	1511.5	
Tue 3/22	4	1515.5	
Wed 3/23		1515.5	
Thu 3/24		1515.5	
Fri 3/25	8	1523.5	
Sat 3/26	4.5	1528	
Sun 3/27	5	1533	
Mon 3/28	5	1538	
Tue 3/29	8.75	1546.75	
Wed 3/30		1546.75	
Thu 3/31		1546.75	
Fri 4/01	8	1554.75	
Sat 4/02	3.5	1558.25	
Sun 4/03	5	1563.25	
Mon 4/04	4.5	1567.75	
Tue 4/05		1567.75	
Wed 4/06	6.75	1574.5	
Thu 4/07		1574.5	
Fri 4/08	8	1582.5	
Sat 4/09		1582.5	
Sun 4/10		1582.5	
Mon 4/11		1582.5	
Tue 4/12		1582.5	
Wed 4/13		1582.5	
Thu 4/14		1582.5	
Fri 4/15	5.5	1588	
Sat 4/16	5.25	1593.25	
Sun 4/17		1593.25	
Mon 4/18	4.5	1597.75	
Tue 4/19	4	1601.75	
Wed 4/20		1601.75	
Thu 4/21		1601.75	
Fri 4/22		1601.75	
Sat 4/23		1601.75	

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Sun 4/24		1601.75	
Mon 4/25		1601.75	
Tue 4/26		1601.75	
Wed 4/27		1601.75	
Thu 4/28		1601.75	
Fri 4/29		1601.75	
Sat 4/30	4.5	1606.25	
Sun 5/01		1606.25	
Mon 5/02	5.25	1611.5	
Tue 5/03	9.25	1620.75	
Wed 5/04		1620.75	
Thu 5/05		1620.75	
Fri 5/06	8	1628.75	
Sat 5/07	4.5	1633.25	
Sun 5/08		1633.25	
Mon 5/09		1633.25	
Tue 5/10	4	1637.25	
Wed 5/11		1637.25	
Thu 5/12		1637.25	
Fri 5/13	5.75	1643	
Sat 5/14	4.5	1647.5	
Sun 5/15		1647.5	
Mon 5/16		1647.5	
Tue 5/17	4	1651.5	
Wed 5/18	4.75	1656.25	
Thu 5/19	4.5	1660.75	
Fri 5/20	6.5	1667.25	
Sat 5/21	10.5	1677.75	
Sun 5/22		1677.75	
Mon 5/23		1677.75	
Tue 5/24	4	1681.75	
Wed 5/25		1681.75	
Thu 5/26	4.5	1686.25	
Fri 5/27	8	1694.25	
Sat 5/28	4.5	1698.75	
Sun 5/29		1698.75	
Mon 5/30		1698.75	
Tue 5/31	4	1702.75	
Wed 6/01		1702.75	1190.5
Thu 6/02	5.25	1708	1188.25
Fri 6/03		1708	1178.25
Sat 6/04		1708	1178.25
Sun 6/05		1708	1178.25
Mon 6/06		1708	1174.75

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Tue 6/07		1708	1174.75
Wed 6/08		1708	1174.75
Thu 6/09		1708	1169.75
Fri 6/10		1708	1159.75
Sat 6/11		1708	1159.75
Sun 6/12		1708	1159.75
Mon 6/13		1708	1155.75
Tue 6/14		1708	1150
Wed 6/15		1708	1140
Thu 6/16	4.5	1712.5	1144.5
Fri 6/17	7.75	1720.25	1152.25
Sat 6/18	4.5	1724.75	1156.75
Sun 6/19		1724.75	1156.75
Mon 6/20	4	1728.75	1160.75
Tue 6/21	4	1732.75	1164.75
Wed 6/22		1732.75	1164.75
Thu 6/23		1732.75	1164.75
Fri 6/24		1732.75	1154.75
Sat 6/25	9	1741.75	1163.75
Sun 6/26		1741.75	1163.75
Mon 6/27		1741.75	1163.75
Tue 6/28		1741.75	1163.75
Wed 6/29		1741.75	1154.25
Thu 6/30		1741.75	1145
Fri 7/01		1741.75	1135
Sat 7/02		1741.75	1135
Sun 7/03		1741.75	1135
Mon 7/04		1741.75	1135
Tue 7/05		1741.75	1135
Wed 7/06		1741.75	1125
Thu 7/07		1741.75	1115
Fri 7/08	4.5	1746.25	1112.75
Sat 7/09		1746.25	1103.75
Sun 7/10		1746.25	1096.5
Mon 7/11		1746.25	1094
Tue 7/12	4.5	1750.75	1098.5
Wed 7/13		1750.75	1093.25
Thu 7/14	5.25	1756	1098.5
Fri 7/15	8	1764	1096.5
Sat 7/16	5.5	1769.5	1102
Sun 7/17		1769.5	1096.5
Mon 7/18	8	1777.5	1098.25
Tue 7/19		1777.5	1098.25
Wed 7/20		1777.5	1088.25

Time Detail for Dafina Roter Velyov

12/30/2009 - 8/30/2011

Date	Daily Amount Worked	Cum. Tot. Amount	12-Month Lookback (lookback starting on 6/1/2011)
Thu 7/21	8.25	1785.75	1091.5
Fri 7/22	8	1793.75	1089.5
Sat 7/23	8.5	1802.25	1098
Sun 7/24		1802.25	1092.5
Mon 7/25		1802.25	1092.5
Tue 7/26	4	1806.25	1096.5
Wed 7/27		1806.25	1086.5
Thu 7/28	4.5	1810.75	1086.25
Fri 7/29	5.5	1816.25	1083.25
Sat 7/30	4.5	1820.75	1087.75
Sun 7/31	4	1824.75	1091.75
Mon 8/01		1824.75	1091.75
Tue 8/02		1824.75	1091.75
Wed 8/03		1824.75	1086
Thu 8/04		1824.75	1086
Fri 8/05	8	1832.75	1084.5
Sat 8/06	9.5	1842.25	1094
Sun 8/07		1842.25	1094
Mon 8/08	5	1847.25	1099
Tue 8/09	9.5	1856.75	1108.5
Wed 8/10		1856.75	1098.5
Thu 8/11		1856.75	1093.5
Fri 8/12		1856.75	1093.5
Sat 8/13		1856.75	1093.5
Sun 8/14		1856.75	1089.5
Mon 8/15		1856.75	1089.5
Tue 8/16		1856.75	1089.5
Wed 8/17		1856.75	1079.5
Thu 8/18		1856.75	1074.5
Fri 8/19		1856.75	1064.5
Sat 8/20		1856.75	1064.5
Sun 8/21		1856.75	1064.5
Mon 8/22		1856.75	1064.5
Tue 8/23		1856.75	1064.5
Wed 8/24		1856.75	1054.5
Thu 8/25		1856.75	1049.5
Fri 8/26		1856.75	1039.5
Sat 8/27		1856.75	1039.5
Sun 8/28		1856.75	1039.5
Mon 8/29		1856.75	1039.5
Tue 8/30		1856.75	1039.5

Document #: 3771466



### Employee Transactions and Totals (Excel)

Time Period: 7/01/2009 - 8/10/2011

Q: Previously Selected Employee(s)

Pay Codes: (2): [ALL FMLA][ALL FMLA UNPAID]

Actual/Adjusted: Actual hours only

Drop Up to Date: 8/5/2014 12:18:35 PM

Entered on: 8/5/2014 12:18:35 PM

Printed for: Flyfrontiertracy.viplambda

Transactions:

ID:	Employee:	Day	Date	Pay Code	Hours	Money Entered By	Data Source
217671	Roter, Dafina A	Fri	11/5/2010	FMLA SICK PD	10.00	\$0.00 FlyFrontier\cherri.v	Timecard Editor
417671	Roter, Dafina A	Fri	2/11/2011	FMLA SICK PD	7.50	\$0.00 FlyFrontier\cherri.v	Timecard Editor
417671	Roter, Dafina A	Mon	4/11/2011	FMLA SICK PD	4.50	\$0.00 FlyFrontier\cherri.v	Timecard Editor
417671	Roter, Dafina A	Tue	4/12/2011	FMLA SICK PD	4.00	\$0.00 FlyFrontier\cherri.v	Timecard Editor
417671	Roter, Dafina A	Fri	6/3/2011	FMLA SICK PD	8.00	\$0.00 FlyFrontier\wendy.	Timecard Editor
417671	Roter, Dafina A	Sat	6/4/2011	FMLA SICK PD	10.50	\$0.00 FlyFrontier\nicole.e	Timecard Editor
417671	Roter, Dafina A	Tue	6/7/2011	FMLA SICK PD	4.00	\$0.00 FlyFrontier\marina.	Timecard Editor
417671	Roter, Dafina A	Fri	6/10/2011	FMLA SICK PD	8.00	\$0.00 FlyFrontier\wendy.	Timecard Editor
417671	Roter, Dafina A	Mon	6/13/2011	FMLA SICK PD	4.00	\$0.00 FlyFrontier\cherri.v	Timecard Editor
417671	Roter, Dafina A	Tue	6/14/2011	FMLA SICK PD	4.00	\$0.00 FlyFrontier\cherri.v	Timecard Editor
417671	Roter, Dafina A	Fri	6/17/2011	FMLA SICK PD	0.25	\$0.00 FlyFrontier\wendy.	Timecard Editor
417671	Roter, Dafina A	Fri	6/24/2011	FMLA SICK PD	8.00	\$0.00 FlyFrontier\cherri.v	Timecard Editor
417671	Roter, Dafina A	Tue	7/19/2011	FMLA SICK PD	4.00	\$0.00 FlyFrontier\cherri.v	Timecard Editor

Totals:

ID:	Employee:	Pay Code	Hours	Money	Wages
417671	Roter, Dafina A	ALL FMLA	76.75	\$0.00	\$0.00

Summary Totals:

Pay Code	Hours	Money	Wages
ALL FMLA	76.75	\$0.00	\$0.00

EXHIBIT

1033